

**MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
SPECIAL MEETING
Friday, March 23, 2007
County Courthouse, Rawlins, Wyoming**

A special meeting of the Board of Carbon County Commissioners was held Friday, March 23, 2007 with the Carbon County Planning & Zoning Commission to discuss the Carbon County Land Use Plan (CCLUP). Attending the meeting on behalf of Carbon County were Commissioners Terry Weickum and Jerry Paxton; County Clerk Gwynn Rothenberger, and County Attorney Cindy DeLancey. Chairman Zeiger participated by telephone.

Members present from the Carbon County Planning & Zoning (P&Z) Commission were Will Speer, Shorty Ballard, and Bobbie Wagner. Dan Mika and Richard Wilson were absent. Present from the Planning Office were Louis Kline and Kristy Rowan.

Ken Markert, Independent Consultant, and Joanne Garnett from Worthington, Lenhart, and Carpenter (WLC), the company hired by the P&Z Commission to review the CCLUP, were also present.

Acting Chairman Terry Weickum called the meeting to order at 10:01 a.m.

Mr. Markert stated Mr. Speer contacted him regarding a review and possibly updating the CCLUP. He stated that rather than just updating the CCLUP, he prefers to meet with all individuals involved and review the document first. This process takes approximately 6 weeks. According to Mr. Markert, this process creates a road map for the actual revision of the document. Ms. Garnett stated she agrees that it is important to first find out what is troublesome about the document then propose how to update it.

Mr. Speer began by stating that the P&Z Commission addressed a possible revision approximately three years ago but the actual revision was never completed. He stated with the demographic changes in Carbon County, the CCLUP needs revision soon.

Ms. Garnett asked if anyone is interested in population projections for the future. Mr. Speer replied that yes, the growth rate for the past two years has been about 20% and this should be one of the issues addressed during the review process.

Commissioner Weickum stated one of his goals is that once energy development declines, he would like to be left with a community that is still booming. Mr. Speer stated that he feels strongly that the economic base in the county requires an update.

Commissioner Paxton stated that a sawmill and pellet mill could also add growth in the Encampment area and he would like the CCLUP to help define the relationship between county and federal agencies working with these types of projects. Commissioner Weickum stated the current CCLUP in its time was accurate, but is no longer. He added that he would like the CCLUP to address a better definition on the direction we want to grow, the possibilities that are out there, things we have not thought about yet, and how to handle these things once they happen.

Mr. Markert asked how the group feels about the relationship with municipalities regarding growth. Commissioner Weickum reported that Carbon County Council of Government (CCCOG) provides for a good relationship and good communication with these municipalities. He added that currently it is tough to keep up with the infrastructure growth rate. There was discussion of the history of growth in the county compared to the current growth rate, including water, sewer, and housing.

Ms. Garnett asked if the county recognized particulars in the CCLUP that could be changed to make it more user friendly. Commissioner Paxton pointed out there is a great deal of redundancy in the current CCLUP. He stated it is a working document and asked that it be revised in such a way that the average individual could read it and understand it.

Mr. Markert asked for views on public input and how extensively does the group want the public to be involved, or do they want to take the executive approach and just make the changes.

Commissioner Weickum stated that he feels the public comment portion of the CCLUP must be

sufficient. He stated it is paramount that the public have a major role in the revision process. Commissioner Paxton stated that he feels that with ample opportunity for public comment there would be fewer problems down the road.

Mr. Speer advised that during the original CCLUP review process there were various meetings to take public comment and surveys sent out to agriculture landowners. The P&Z Commission agreed that there must be extensive public comment. Ms. Wagoner stated she wants plenty of public input as well. Mr. Speer said he would like to see the CCLUP look at future water issues.

There was discussion of the DKRW plant project near Medicine Bow with Commissioner Weickum adding that we will be the first area in the United States to have such a facility running.

Mr. Speer stated the CCLUP will be key to guiding the P&Z Commission and County Commissioners on zoning regulations in the future.

Commissioner Weickum stated because the CCLUP is outdated, Carbon County is excluded from various funding programs. Commissioner Paxton discussed that the Encampment area would like to have a biomass ethanol plant and addressed the beetle kill in the forest. He requested Mr. Markert and Ms. Garnett visit with the forest service regarding this issue.

Commissioner Weickum discussed Northern Power's transmission line project and possible other similar projects. Mr. Speer stated currently Carbon County can generate the energy, but have no means to send it anywhere. Commissioner Weickum discussed the fact that a great deal of Carbon County is public land and that the CCLUP must provide a direction on dealing with federal agencies regarding the use of public land.

Commissioner Zeiger stated that municipalities must look at subdivision, annexation, and housing, and that this must be stated in the CCLUP.

Commissioner Weickum stated the housing issue must provide for affordable housing. He wants the CCLUP to help define solutions to this issue.

Mr. Markert stated affordable housing is complex and that a community must develop, over time, a response and become more sophisticated in dealing with it. Commissioner Weickum stated he believes the municipalities are addressing the issue, but the county government's position is to stand ready to participate and cooperate on the housing issue. Commissioner Paxton stated that the lack of available land in the various municipalities will affect the county as people must build outside of municipalities.

Deb Allen stated the City of Rawlins is currently addressing the issue of available land and where they can expand. They are gathering data and evaluating it. She stated the biggest problem is the transit population. She requested the CCLUP address the issue of housing to accommodate these transit workers, but what happens to these houses if this group does not stay in the county. Commissioner Weickum added that some of the ongoing and proposed projects give numbers on permanent and temporary employees. He agrees that the CCLUP must address the issue of a transient workforce.

Commissioner Paxton stated that a unique feature of the county is the prison and the impact it has and this may be something to look at during the review process.

Ms. Wagoner stated that Elk Mountain has formed an Economic Development Committee. They do not want to expand subdivisions but rather develop what is already available in Elk Mountain. They want to grow in population but not expand their boundaries. She thinks Hanna and Medicine Bow may be doing the same. Commissioner Paxton stated that Encampment has a large number of acres that are not used, but that there may not be water and sewer service to some of these acres.

Commissioner Zeiger left the meeting at 10:42 a.m.

Mr. Speer and Attorney DeLancey addressed Interstate 80 and the impacts that the huge amount of traffic has on Carbon County.

Mr. Speer stated that agriculture industry must be revisited. Commissioner Paxton stated there has been a lot of consolidation of family size ranches to make larger ones and these

consolidations have changed the complexion of the rural areas. Commissioner Weickum stated along with consolidations, the issue of absentee ownership should be looked at.

Commissioner Paxton stated year-round recreation provides impact to the county, including snow mobiles, four wheeling, float trips, fishermen, hikers, and hunters. He also pointed out the new Platte Valley Community Center may draw more convention type of activities to the Saratoga and Encampment area. Commissioner Paxton stated there is a proposed community center in Baggs and a possible new county museum in Rawlins and that these may provide a significant impact.

Commissioner Weickum addressed the issue of recruitment of professionals and how the county could better serve this issue.

Mr. Speer added that a zoning map should be addressed in the CCLUP as the county currently does not have one. This is currently kept track of by computer and a card system. He added that the rural addressing project may help with this.

Mr. Ballard thinks that the various terrain and soils on agriculture land should be looked at in the review. Mr. Markert asked if there should be a distinction in the CCLUP of productive versus non-productive lands. Mr. Markert asked if there were this policy, what types of things would the county do to keep productive lands from being developed while keeping within the framework of the constitution. Ms. Garnett stated that when people buy land with one zone, that there is no guarantee that they could be authorized to change the zone. Commissioner Weickum stated the way to address this is to have certain prerequisites before a zone change is authorized. These would include pointing out that roads would not be county maintained, they may not have vital services provided in that area, and other things such as water and sewer issues. He feels that while the county has the right to regulate the use of the land, people have private property rights. So the county would not say yes or no, but that if certain conditions are met, these zone changes could be allowed.

Commissioner Paxton stated he is not against development, but wants it done in a responsible way. He added that in rural areas, power lines and telephone lines must be a concern. Ms. Garnett stated it is wise to address these issues on the plat itself by laying out that the purchaser is responsible for almost everything. Commissioner Paxton addressed rural addressing and the responsibility of the county and the responsibility of the people that build in rural areas. For instance, should the owner be responsible for clearly marking their address and any other requirements. Commissioner Weickum stated he would like to move the GIS and rural addressing under the Planning Office. Mr. Markert said he has seen GIS departments run both ways, but to make the most use of it, he thinks its best to have it under a Planning Department.

Mr. Markert stated he was curious of the Ranching, Agriculture, Mining (RAM) issue and how the CCLUP might better address that issue. Commissioner Weickum stated the CCLUP and the Zoning Resolution are two completely different documents. He stated that the County Commissioners have asked the P&Z Commission to come with a revised RAM acreage requirement during the revision of the CCLUP rather than waiting until after the CCLUP revision. Commissioner Weickum added that the county wants to be able to direct growth in the right way but he feels they can do that without a minimum RAM size. He feels the county is dealing with land use, not land size.

Ms. Garnett summarized that the previously identified problems, user friendliness, content, and redundancy. She stated Mr. Markert and herself will review the CCLUP, Zoning Resolution, and Subdivision Regulations as to conformance with the CCLUP. Secondly, they will identify contents that need updated, and what is outdated. Next, they will identify additions to the plan, regional issues, including energy, housing, recreation, and water and sewer issues, etc. Finally, they will write a report of all information, including their own opinions, and best practices, and provide recommendations.

Commissioner Paxton added that compliance with State Statute must be a consideration.

Mr. Markert offered to keep in touch via e-mail during the six weeks while they are reviewing the CCLUP. Commissioner Weickum stated he would ultimately want a CCLUP that justifies stopping a wrongful act.

Attorney DeLancey confirmed that periodic e-mails would be provided to Will Speer, Planning Office Staff, and the County Clerk updating the progress of the review.

Mr. Markert stated they will mail a written report in approximately six weeks for review by the County Commissioners and P&Z Commission, and offered to have a conference call meeting for questions. Commissioner Paxton requested a personal meeting with Mr. Markert and Ms. Garnett and the two agreed to make efforts to accommodate that request.

ADJOURNMENT

There being no further business, Commissioner Weickum adjourned the meeting at 11:28 a.m.

-s- Gwynn G. Rothenberger, Carbon County Clerk

Approved this 17th day of April, 2007.

BOARD OF COUNTY COMMISSIONERS
CARBON COUNTY, WYOMING

-s- Artlin Zeiger, Chairman