

STATE OF WYOMING)
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COUNTY OF HOT SPRINGS)
OFFICE OF THE BOARD OF
COUNTY COMMISSIONERS
THERMOPOLIS, WYOMING
July 15, 2014

The Hot Springs Board of County Commissioners met in regular session on Tuesday, July 15, 2014 at 4:00 p.m. in the Public Meeting Room at the Government Annex. Present were Commissioners Mike Baker, Brad Basse and John Lumley. Also present were County Attorney Jerry Williams, County Clerk Nina Webber and Administrative Assistant to the Commissioners Penny Herdt. Chairman Baker led those present in the Pledge of Allegiance.

Approval of Agenda

John Lumley moved to approve the agenda with the following deletion:

DELETE: Ross Rhodes 5. Museum Employee Benefits

Brad Basse seconded the motion. Motion carried.

Airport Update

Phase III – Mr. Gilb discussed Change Order No. 3, which deals with plans to accommodate the recently discovered seep in the airport construction area. This change order should be ready for signature by the first meeting in August.

Phase IV – Mr. Gilb presented Change Order No. 1, which deals with the reduction of the smoothness requirement and a change in the edge drain fill material specification. A similar change order for Phase III was approved at the last meeting. WYDOT and the FAA have reviewed and approved this change order. John Lumley moved to approve Contract Change Order No. 1 for Phase IV of the airport relocation project in the amount of \$3,831.60. Brad Basse seconded the motion. Motion carried.

Overall Update – Currently there are about twenty people working onsite. There will another five to ten employees added within the next week by the contractor. The project is running slightly behind schedule, but the contractor expects to be caught up shortly. GDA will also be adding more manpower on-site within the next couple of weeks. There was some concrete that did not meet specs and it is being removed and replaced. Gravel crushing is underway for the asphalt at this time.

WACIP – The Wyoming Aviation Capital Improvement Program training held last week in Cody was attended by Commissioners Basse and Baker and Clerk Webber. WACIP is the five to ten year funding mechanism used by WYDOT Aeronautics and the FAA to identify, prioritize and fund state airport projects. The plan is updated annually, and this year included a priority rating update for all projects statewide. Final WACIP documents for this year will be submitted for signature at the August 19th meeting.

Relocation – Work continues on finalizing the relocation reimbursement for the Holdens. Easement issues have been resolved.

Town of Thermopolis – Landfill

Town representative Fred Crosby appeared before the Commissioners to discuss the increase in the projected costs for the landfill. At one time, a scale was being considered for purchase, but that idea has been discarded as the expected life of the landfill does not make the purchase of a scale seem like a good use of funds at this time. The current estimated closure projection is approximately five years from now. The Town would like to use funds from the Landfill Equipment Replacement Fund to purchase a used scraper at a cost of roughly \$250,000.00 to use at the landfill. The current scraper is quite old and in serious need of replacing due to safety and maintenance cost issues. According to Mr. Crosby, the main reason for the increase in projected costs at the landfill is the need to construct a new cell this year. Due to a lack of proper equipment and expertise, this will have to be contracted out and will be approximately \$180,000.00.

Town of Thermopolis – Consensus Grant Discussion

Mr. Crosby reviewed some projects that the Town is considering for Consensus Grant funding for the upcoming year. The primary project is a repair of a sewer line failure on 1st Street which has resulted in a river breach. As this is considered an emergency project, the Town will also apply for Emergency State Loan and Investment Board funding to assist with repairs. The County has its own list of Consensus projects for consideration. Consensus funds for this biennium are estimated at \$807,959.00. The Commissioners will work with Mr. Crosby to set up a date for a work session to allocate the Consensus

funding for projects over the next two years. Clerk Webber will advertise for Consensus funding applications from other entities in the County to be submitted prior to this work session.

County Road Changes

Anthony Barnett appeared before the Commissioners to discuss an apparent disconnect between resolutions approved by the Commissioners concerning the County Road system and the transfer of that information to the County Road Mapping System. After hearing Mr. Barnett's presentation, the Commissioners agreed that there is a problem that must be addressed as expeditiously as possible and took the matter under consideration for discussion and decision at a future meeting.

Public Hearing – Miller-Schmidt Subdivision Land Use Change

Chairman Baker declared the hearing on the Miller-Schmidt Subdivision Land Use Change request open at 5:30 p.m. Planner Bo Bowman reviewed the actions leading up to today's public hearing. Rob Schmidt and Scott Miller have requested a preliminary subdivision plat approval and a land use change from agricultural to residential for approximately 28 acres of land located in the NW/4NE/4 of Section 14, T42N, R95W on Lane 14 south of Thermopolis. The Land Use Planning Board has forwarded the Land Use Change Request with a unanimous recommendation of approval, subject to the following conditions:

1. This preliminary plat shall expire one year after the date of its approval. The final plat for this subdivision shall be submitted for the County's review and approval prior to that expiration.
2. A Weed Management Plan shall be submitted for the review and approval of staff.
3. A Home Owners' Association shall be established, and membership shall be mandatory for all homeowners.
4. The By-Laws for the Homeowners' Association shall include measures guaranteeing the maintenance of all internal roads.
5. Prior to recording the Final Plat, the developer shall agree to participate in a Maintenance & Use Agreement with other users of Lane 14, providing for the shared maintenance, use, and repair of Lane 14.
6. Prior to recording the Final Plat the developer shall install any signage required by the Wyoming Department of Transportation, such as a stop sign, at the intersection of Lane 14 and Highway 20 South.
7. The Restrictive Covenants for this subdivision shall include language prohibiting development, landscaping, or earthwork within the drainage area at the west end of the subdivision. The Final Plat shall clearly identify the area where such prohibitions apply.
8. Any Restrictive Covenants for this subdivision and the By-laws of the Homeowners' Association shall be recorded with the Final Plat.
9. Prior to recording the Final Plat, the County shall receive a letter from the South Thermopolis Water & Sewer District stating that the subdivision will be served by the District.
10. At the time of submitting the Final Plat, the developer shall execute a performance bond to cover the expense of all common improvements not yet constructed and accepted. These improvements include internal roads, required off-site improvements, and the extension of water and sewer service to the proposed lots.

After Mr. Bowman's review, Chairman Baker called for public comments. The Conservation District has submitted written comments objecting to the land use change. Landowner Doris Hurlburt expressed concern regarding road maintenance issues on Lane 14 as a result of the increased traffic with the subdivision. Road maintenance agreements are addressed in the conditions of approval. Landowner Maycle Wilson expressed concern regarding liability on her lots that back up to the subdivision. Mr. Miller indicated that access for the lots that adjoin Mrs. Wilson's property is off the internal subdivision road, not Lane 14. The County Attorney expressed his opinion that it would not be in the Commissioners' best interests to approve a preliminary plat as it left too much open to later interpretation and he felt that the past practice of the Commissioners had been to approve the plats in final, not preliminary form. That being said, the County Attorney expressed his support for the subdivision and the land use change. After three calls for further public comment, receiving none, Chairman Baker declared the public hearing closed at 6:12 p.m. The Commissioners the completed the Absolute and Relative Policies checklists.

Brad Basse moved to approve the Land Use change from agricultural to residential for approximately 28 acres of land proposed as the Miller-Schmidt subdivision, located in the NW/4NE/4 of Section 14, T42N, R95W on Lane 14 south of Thermopolis, subject to the Conditions of Approval outlined above. John

Lumley seconded the motion. Discussion: the checklist scoring was positive with scores of 12, 17 and 16. Motion carried.

There was no motion on the preliminary plat. The applicants were asked to return with a final plat of the subdivision for approval by the Commissioners.

Other Business

OCWD – CDBG Draw Down Request #27 – Chairman Baker reviewed CDBG Grant Draft Request #27 for the Owl Creek Water District's expansion project. John Lumley moved to approve the Wyoming Business Council Investment Ready Communities Grant Draft Request #27 for the Owl Creek Water District Water Supply project in the amount of \$5,235.00. Brad Basse seconded the motion. Motion carried.

OCWD 2014 Expansion Project Grant Extension – Clerk Webber presented the CDBG Grant Extension Agreement for the Owl Creek Water District Expansion Project. This agreement extends the completion date of the original grant agreement to December 31, 2014. Brad Basse moved to authorize the chairman's signature on the CDBG Grant Extension Agreement for the Owl Creek Water District Expansion Project. John Lumley seconded the motion. Motion carried.

Correspondence

Fair Board Minutes – June, 2014

Wyoming Office of State Lands & Investments – Transportation Enterprise Fund Application

Fair Board – HSC Junior Livestock Auction Invitation

Airport Monthly Operations Report – June, 2014

Library Board Minutes – June, 2014

Museum Board Minutes - April, May and June, 2014

WAM-WCCA - Energy Lease Program Request For Proposals

The Commissioners reviewed the correspondence items. No further action on the items was required at this time.

Adjournment

There being no further business to come before the Board of County Commissioners at this time, Brad Basse moved to adjourn. Chairman Baker declared the meeting adjourned at 6:37 p.m.

ATTEST:

Mike Baker, Chairman

Nina Webber, Clerk to the Board