

**Weston County Board of Commissioners
OFFICIAL MINUTES OF SPECIAL MEETING
RE: WESTON COUNTY SOLID WASTE DISTRICT
September 15, 2016 at 1:00 p.m.**

The Weston County Board of Commissioners convened at 1:02 p.m., Chairman Bill Lambert presiding. Present were Commissioners Tony Barton, Marty Ertman, and Randy Rossman. Commissioner Tracy Hunt participated via speaker phone. Also present were County Clerk Jill Sellers, Administrator Dan Blakeman, Attorney William Curley, and Ted Ertman and Ed Wagoner of the Weston County Solid Waste District (WCSWD) Board.

GOOD OF THE ORDER

Commissioner Rossman gave the invocation, and all joined in the Pledge of Allegiance.

Lambert opened the meeting to discuss placing the mill levy on a special ballot for the Weston County Solid Waste District, on November 8, 2016.

Curley reported that the Commissioners created the Weston County Solid Waste District; in his opinion, it legally exists. There are legitimate issues with the Department of Revenue, but those issues do not affect the issue of the district's legal creation. After its creation, the BOCC then appointed a WCSWD Board. (Note: The State Legislature currently has a Task Force on Special Districts, defining the characteristics of a special district.)

The WCSWD District requested that the mill levy question be put to the voters on November 8, 2016. The BOCC approved the wording for the special ballot on August 16, 2016. It was all done properly. According to Curley, it is a mill levy question.

Still unanswered, however, was who gets to vote. Curley's answer to that is that 18-11-103, which states that the board may submit "to the qualified electors of the district..." and conduct an election "in the manner provided for bond elections... W.S. 22-21-101 through 22-21-112." Curley reported that the bond statutes speaks to qualified electors, not landowners.

Curley reported on phone conferences with other Wyoming County attorneys, in order to answer the question on who gets to vote. Answer from Curley: People who would vote would be qualified electors who reside in the WCSWD, excluding those qualified electors who are residents in CWCSWD. Clerk's office had the notice in time to put it on the ballot, 22-21-103.

Rossman asked Ted Ertman and Ed Wagoner if they have their information ready to provide it to the public. Wagoner reported that the final numbers will be ready for the public. Ted Ertman reported time concerns, as there are 54 days until the general election, as well as concerns that the Department of Revenue is satisfied with documentation.

Barton opened discussion regarding the minutes of 6/16/2015, suggesting a modification to accurately reflect the events and decisions of that meeting. Curley suggested that minutes be updated to read:

"... to pass a resolution to create a solid waste district excluding the CWCSWD..."

Lambert called for a motion to modify the minutes of 6/16/2015. Barton moved to strike out “begin taking applications to seat board members to create a county-wide solid waste district” and insert “... to pass a resolution to create a solid waste district excluding the CWCSWD, and to begin taking applications for the newly created solid waste district board.” Ertman seconded. Curley commented that the current motion more accurately reflected the discussion of that meeting. Carried.

Hunt stated a concern that the public doesn’t understand why we need to change what is currently happening with our solid waste service; and that the public needs to know the details the DEQ requirements, as well as the costs, and functions of the new district. He also reported concerns about educating the public in the limited time available, but respects the WCSWD Board’s perspective in believing they can do so.

Clerk is concerned about voter rolls, and compiling them in time for the election. It is a logistical concern. However, with the question of who gets to vote answered, the list will be compiled from registered voter rolls, and updated to exclude residents of CWSWD.

Lambert asked Wagoner what else the WCSWD Board needed in terms of support from the BOCC. They are working with Hunt to post information on the County website. They have been invited to community organizations to provide information to the public. Curley was concerned about questions that may be asked on the website, and who would answer them. He also indicated the requirement to provide information only, no campaigning. Ted Ertman also reported that they will also seek out other venues to present the information.

Barton indicated that the information needs to be more than just numbers. Wagoner reported that they have also worked up the details of how the mill levy will be spent. Ted Ertman reported that they will utilize the funds provided by the BOCC for advertising in order to educate the public and invite people to the informational meetings.

It was decided to proceed with a special election ballot on November 8, 2016.

With no further business, the meeting was adjourned at 1:57 p.m.

Bill Lambert
Chairman

Attest:
Jill Sellers
County Clerk