

WESTON COUNTY PLANNING & ZONING COMMISSION MEETING

MINUTES

THURSDAY, NOVEMBER 4, 2010

6:00PM

WESTON COUNTY COURTHOUSE – BOARD ROOM

Commission Members: Rick Dunford (Chairman), Joe Sandrini (Vice Chairman), Jim Varner (Secretary), John Ackerman & Jerry Varner

Staff: Ray Pacheco, County Planning Coordinator

This is a SPECIAL CALL MEETING of the Weston County Planning & Zoning Commission; the regularly scheduled commission meetings are held on the third Thursday of every month at 7:00pm in the County Courthouse.

Call to order: 6:04pm

Roll call: All members were present. Also present was Ted and Marty Ertman

Approval of minutes:

(August 19, 2010)

Motion: Sandrini

Second: Jerry Varner

Vote: 3-0 approved

The chairman stated that he has an amendment to the June 17, 2010 minutes, he said the motion was made to read as follows; *“Once a set of plans are submitted and the project is determined to be within one mile of a city’s limits then we will ask the applicant to give us a complete second set of documents to give to that city”*. Also, the minutes need to be changed from “abort” to “amended”.

The chairman also mentioned that he visited with the City of Newcastle to discuss what happened to the development of a MOU between the City and County and he said that the city was comfortable with the fact that the MOU did not happen.

Discussion Item(s):

- ❖ Discussion on Community Assessment – Follow Up Meet Results:

What the Planning Coordinator gave to the Commission are the comments from the Follow Up meeting that was held on September 30, 2010. He reminded the Commission that he has provided them with an overview of the Assessment and how the comments from the public could be categorized to reflect the topics that are outlined in the State’s Land Use Plan of 1979. He also stated that the comments that were received from the public were outlined to be assigned to each commission member and that each member would have a committee made up of county residents that would help formulate the goals and objectives of their specific topics.

The Coordinator talked about the meeting he had with the Board on the 28th of September when he provided them with the same overview of the Assessment Report and the flow charts that categorized the public’s comments as found in the State’s Land Use Plan. He said that the Board thought it would be difficult to “sell” an entire comprehensive plan to the residents and that it would be too much at one

time. The Board stated that they wanted to see what came out of the Follow Up meeting that would happen in two days and first get results back from Jo Ferguson's group. He said the Board wants to take each topic at a time. He provided the Commission with the four topics that came out of the Follow Up meeting, which are *Economic Development, Community Cooperation, Cleanup and Reclamation and Land Use*. The Coordinator said that he tried to draft some general goals and objectives for each item but that it was difficult only because most of the comments listed could not be managed by the county commissioners through a comprehensive plan. He said that the county commissioners would have to deal with some of these topics at a state level and that others would have to be dealt with through zoning. It was mentioned that there are federal agencies and funds that could help with reclamation issues but that this really couldn't be done through a planning level. *(See attachment of Follow up meeting comments)*

The Coordinator said that he thought that the Commission and many others in the community could head up efforts to develop an economic development plan and he did not think that the Commission alone would be the only ones to develop this plan but that they could be the facilitators for the process to start as oppose to relying on individuals in the community to come up with a plan for the entire community.

The Coordinator said that the Board is concerned with how such an effort would be paid for, but he said that there are grants available that would help pay for an economic development plan or a housing plan. He said that the biggest effort would be in getting the public rallied around such an effort and on board to participate. He said that he talked to Norma Shelton about creating a marketing plan for all business owners in the county. He mentioned that the Chamber had a guest speaker come in from the Wyoming Entrepreneur Marketing Center who said that there center could provide free marketing plans for businesses and/or communities. This marketing plan would be a component of the economic development planning process. The marketing statistics and guidance comes from the University of Wyoming and that is why it is free. He then asked for input from the commission as to how they would like to pursue the planning efforts from the Assessment and if they had any ideas on how to get the process started.

Mr. Sandrini: Said that he did not want to reinvent the wheel and that we should see how other communities similar to Weston County made it happen. He then asked if an economic development plan should be our main priority and if there is a difference between a land use plan and an economic development plan. The Coordinator said that within a comprehensive plan you usually have individual plans or chapters that focus on economic development, natural resources, land use/zoning and other specific topics and together they make up your comprehensive plan. He said that he did not think and the Board does not think that the community would be able to digest an entire plan, so it would be up to all of us to prioritize which pieces of the plan needed to be dealt with first.

Mr. Sandrini asked, what is a good working definition of economic development? The Coordinator said that this question would be answered by the residents and possibly a consultant. We need to ask the residents what they want as far as new businesses and what are the needs and wants in the community such as industry and commercial, housing. Do we need more housing, industry, commercial or do we need to retain what we have and is what we have enough to sustain the community. Other questions could include business retention and growth of current businesses.

Chairman Dunford: Said that he did not think that the Commission had any business getting into the economic development process and their purpose is land use through the subdivision process. He said that there is not a connection between economic development and the duties of the commission based on state statutes. He said that we can help to open up the communication between the cities and the general public. He said that we are limited because of the statutes the commission is under and the lack of land use regulations we don't have to manage issues such as reclamation. He said the commission is a reactionary board that they are problem solvers based on issues that the public brings to their attention. He said that all of the comments from the Follow Up meeting must be handled by the board or chamber or other agencies or groups but not the planning commission.

The Coordinator said that the community is looking for a way to organize itself in order to have a say in the economic development process and that the commission can be that means for organizing the community so that there is a central place for people to find answers. He said that the commission would not develop the plan but would facilitate its development. The chairman said that he did not see how this would work and that he was worried about them losing their independent ability to judge a project. We cannot get involved in this process because individuals would want the commission to answer questions outside of meetings and then they would depend on those "unofficial" responses. He thinks this process as presented is setting us up for failure. He said that we should only be a part of the community that is involved in the process, not the group that facilitates or initiates this process. The Coordinator said that the Board can delegate the responsibility of developing a comprehensive plan to the planning commission and if economic development is part of that plan, then we could be responsible for facilitating the development of that one component; like we would be responsible for developing other components of the plan. The chairman said that there is no way to explain how the commission could be directly involved in economic development.

Jerry Varner: Said that he does not think that the county should be solely involved in the comprehensive plan process and that we need to include the cities and others in the process. He said the community needs to have input.

Mr. Sandrini: Asked if creating a comprehensive plan is the same as updating the land use plan. The Coordinator said that a land use plan is a part of a comprehensive plan, so updating the land use plan is the same as updating or creating an economic development plan, which would be part of the comprehensive plan. He explained that a land use plan is specific to how people can use their land and that each component of the overall plan is interconnected and make up the comprehensive plan. He repeated that the Board does not want to deal with the Plan in its entirety, but would prefer to deal with it in smaller sections or pieces and the economic part of the plan would be one element and others would or could follow. Mr. Sandrini asked if it would be better to have an economic development group assigned by the Board to handle the planning component of the Plan and then connect their findings with the duties of the commission which is land use planning.

The Coordinator asked the commission if they are not the group/agency/commission to initiate this planning process then who should be? If we leave it up to individuals or groups whose work is not managed by the county and we allow them to draft their own plan for the county without guidance, then we will end up with a plan that is done behind closed doors and that excluded public participation; and it will be one sided and this is what we need to avoid. The commission suggested that they leave it up to the Board to decide how to handle this.

Ted Ertman: Said that land use control can and should come through good subdivision regulations and it is still economic development.

Marty Ertman: Asked if there is a county economic development board. The Coordinator said that there was such a group and to understanding that the board that was created fell apart and that Tom Barritt picked up the pieces and organized a board that simply dealt with the development of the Upton Industrial Park but that his board does not deal with outside economic development issues. He said this is again another sub-group dealing with their own interests and by simply waiting on groups to plan for their own interests, then we are leaving the planning to those not in charge of it and no one is then taking charge of bringing the community together. He said there are people in the community looking for guidance and help with planning and economic development and if we as the county planning commission can merely act as the organizers of the community than we will have accomplished more by bringing everyone together than what has been accomplished before.

The chairman suggested that we wait to bring this up to the Board until after the first of the year when the new commissioners are in place. He mentioned that there was a new tech center that was introduced to Weston County and that the community rejected it and now it is in Gillette, so he thinks there are people in the community who don't want to see things change.

Jerry Varner wondered why no one from the cities showed up to the Follow Up meeting at the Senior Center and that the overall turnout was poor. The Coordinator said that he thinks the reason for the poor turnout was due to the cities seeing the Follow Up meeting as "a county thing" and that this demonstrates the lack of communication we have between the cities, the county and the community. He said what he is advocating is that we as the county planning commission extend the invitation to everyone to get involved in the process by creating the means for beginning the community outreach process.

The chairman said that he thinks it should all start with the county commissioners who should extend the invitation to everyone countywide. The chairman suggested that the Board should consider creating an economic development board and do so by inviting the public to participate in this process, whether it is through the newspaper, a mass mail out or whatever means the Board deems appropriate, but that it needs to come from the Board. This letter or invitation would invite all of those groups and committees that are already out there and that it will have more power coming from the Board. The Board could then ask us to get involved. The chairman asked/pollled the commission what they thought they should do.

Jim Varner: Agreed that we need to turn to the Board first for more direction and that we need to let them know that the commission is willing to get involved at whatever level they feel is necessary or appropriate. He said that we also need to include community involvement, especially communication between the city and county and other agencies who are involved in economic development.

The Coordinator admitted that this effort will take time and energy from everyone in the community and that it won't be as easy for us to initiate planning ideas as it is in larger communities who already have such ideas in place and are simply refining those ideas. He gave an example from Sheridan on how their housing issues were finally addressed. He said that through various comments from the public about the need for housing and affordable housing that a plan was developed and now that plan is being used in the city and county land use plans and it helped to create an affordable housing organization. He said that the plan was created through a subcommittee of the city and county planning

commissions that included various professionals such as realtors, attorneys, builders and citizens. The chairman said that we need to wait until the first of the year to present the concepts of housing and economic development to the new Board of Commissioners.

Mr. Sandrini: Suggested that we ask the Board to create an economic development committee to lead this part of the comprehensive. The Coordinator agreed with the Commission that this process would take baby steps and would include the entire business community to develop such a plan.

❖ S.I.A. – Subdivision Improvement Agreement Draft:

The Coordinator explained the purpose of the S.I.A., which is an agreement between the county and a developer is to insure that improvements a developer promises to put into his subdivision are completed and that the agreement is part of the approval of the entire subdivision. He said that the existing Agreement is vague and that we are not involved in the inspection process of improvements until after they are in ground. Also there is a bond that goes with securing these improvements but the bond doesn't have a time frame to it nor does it provide guidance to the Board on when and how to use the bond. He said that he provided the commission with an improved version of the S.I.A. The chairman asked if this is a result of their meeting with the Board in which they said they do not want to be liable for any of the costs of the subdivision. The Coordinator said that the only commitment the county would have would be to inspect the subdivision periodically throughout its development.

The chairman asked how this would be managed, would it require a third party engineer or more involvement by the county engineer or a contract engineer. The Coordinator used the example of Gideon Dixon wanting to get his bond back for work he completed in his subdivision. He said that neither the county clerk nor the county commissioners knew the steps for returning the bond and that they didn't know if the subdivision's improvements had been inspected by the county engineer. The chairman asked if the county attorney has reviewed the proposed S.I.A. The Coordinator mentioned the attached e-mail from the county attorney and that his response was really a no comment-like response. He said that the county needs to decide if they are going to be more involved in the quality of subdivision review or not and if they don't want the responsibility that the inspection process requires, than why collect a bond, and if we don't inspect subdivisions, then why go through the process of revising the regulations. He said that the proposed S.I.A. would hold the developer to a higher standard and not at the expense of the county. The bond that would be attached to this S.I.A. would allow the county to use or not use the available funds to fix intended or installed improvements in a subdivision at the full expense of the developer.

It was suggested that if the Wyoming Club is truly coming in soon that we should consider rewriting this document to protect the county. The Coordinator explained to the audience the issues we have had with the proposed S.I.A. from the Wyoming Club and how their version would commit the county to paying for most of the costs of fixing or finishing any improvements that were not finished or properly installed.

Mr. Sandrini was concerned about creating a problem with the Wyoming Club if the county decides to move forward with a new S.I.A. The Coordinator said that it might, but that we need to look out for our best interest now and not cater to their interest. He said we should do what is best for the county. Mr. Sandrini made a motion that the commission sends the document forward to the Board for their consideration and to get it ready for the county attorney's review and the public's review. The motion was seconded by John Ackerman and the motion passed unanimously by the commission. Mr. Sandrini

stated that the new county commissioners need to suggest that the county attorney be more proactive and better facilitate the work of the Planning and Zoning Commission.

❖ Contact information on website

The Coordinator simply wanted to know if the commission members wanted to provide any of their information on the new county website and if so, he provided them with a form to fill out and send into him.

Comments from Public: Ted Ertman asked when the next discussion would be on the proposed Subdivision Regulations. The Commission did not give him a time or date but stated that it would be up to the Board of Commissioners and their first priority is the updating of the Subdivision Improvement Agreement.

Announcements: None

Adjournment:

Motion: Jim Varner Second: Ackerman Vote: 5-0 approved Time: 7:08pm

Rick Dunford, Chairman: _____ Date: _____

Joe Sandrini, Vice Chairman: _____ Date: _____

Jim Varner, Secretary: _____ Date: _____