

## SPECIAL MEETING

### BOARD OF LINCOLN COUNTY COMMISSIONERS

April 30, 2010

Chairman Harmon called the meeting to order at 12:59 p.m. Others in attendance included the following: Commissioners Archibald and Connelly; County Clerk, Jeanne Wagner and Commissioner's Secretary, Corey Roberts.

PARA 1: Chairman Harmon stated that this meeting has been called as a ratification meeting to look at the received petition to see if there are enough signatures to put the 5<sup>th</sup> penny or the excise tax as outlined in Wyoming Statute 39- 15-204 back on the ballot in the August Primary Election. That's the purpose we're here.

PARA 2: Chairman Harmon asked the County Clerk, Jeanne Wagner if there was any more pertinent information from her office. Jeanne stated that she reviewed the petitions again. There were 539 signatures of the 431 needed.

PARA 3: County Attorney, Josh Smith explained the purpose of the meeting today. Because the Commissioners held an Emergency Meeting on Wednesday, the statutes require that they meet again in a noticed meeting within 48 hours to reconsider the action taken at the Emergency Meeting. The scope of this meeting is limited to that.

PARA 4: Chairman Harmon said on Wednesday, they did instruct the clerk to put this back on the ballot for the Primary Election.

PARA 5: Vance Welch, one of the petitioners, appreciated them ruling on this and said it's a sad day that we're even here. To the people that vote for or against the 5<sup>th</sup> penny tax, because they were denied their right to vote on this issue. He wanted to address Mr. Connelly's comments on the minutes about where we were during these meetings. To be honest nobody felt that the Commissioners in their right mind would have made this decision to deny us all. Commissioner Connelly said he was referencing the town meetings. Vance said the final decision was still the Commissioners and was against the people that put them into office. On Tammie's comment on people that were maybe mislead when they came to that meeting, nobody mislead them. If they were mislead it was their own ignorance that maybe they thought they were signing a role rather than signing a petition. He said the signatures are still coming in now and as far as the deadlines go, they had no 11<sup>th</sup> hour approach. It's not so much the money, it's the idea they are being denied our right. Everybody should have the right to vote. He voiced his concerns with the money given out to support 2 civic centers. He appreciates the opportunity to vent; and appreciates what they have to do. They have good reason and good hearts, but they respectfully disagree.

PARA 6: Annis Nicotera asked if the petition that was signed was available for the whole county or just one area. Chairman Harmon said it was circulated as he understands in Star Valley. She asked if the Commissioners didn't represent the whole county. Chairman Harmon said we do. Why are you renegeing on something from one area and is it because it's an election year? Chairman Harmon said the election year has nothing to do with it and they have to take the petition wherever it comes from in the county and if it's valid statutorily and we have the proper number of signatures they have to accept it.

PARA 7: Diana Mackinen said just like Vance said the people are upset because they didn't get a right to vote, the people in south county are upset because we didn't get a right to sign the petition or deny it. We should have the same chance.

PARA 8: County Clerk, Jeanne Wagner gave clarification on the dates that were given in regards to the petition having to be submitted.

PARA 9: Boyd Siddoway, Mayor of Star Valley Ranch said the record is full of comments that we didn't have the chance to vote. He wanted the record to show that everyone in this room had a chance to vote and have never been denied your chance to vote. In the United States, we elect officials through a normal process to represent us and make decisions. He said they beg people to come to their meetings and voice an opinion before they do it. He wants the record to show as elected officials, we're given a certain amount of money and authority and it's our job to take that money and distribute it in services and goods to our citizens the best we can. He said there were a raft of meetings that people could have come to voice their opinion. He respects what they did but he doesn't like the term denied the right to vote. It is a loss of 30% to their town without the 5<sup>th</sup> penny. He asked what was going to be on the ballot. Are we voting to have a 5<sup>th</sup> penny sales tax or not to repeal the continuation? Chairman Harmon read the wording for the ballot that was used in the 2006 General Election. Boyd wanted to recommend if you vote yes, you are voting to have this stay. If you vote no, you are asking to have it repealed and pulled. Let people precisely understand what they are voting for.

PARA 10: Vance said there was a meeting in Afton concerning their civic center, and the place was packed and he doesn't know of one single person or met one yet that was in favor of the civic center and they got a civic center. He said when they vote it's null and void and taken away from them. What they are doing is wrong and if you had left it alone and educated the public, we would not be having this conversation. You're throwing it in at the very same time you are discussing a backroom deal throwing us a jail with a lease purchase to void their vote again. This is how he personally sees it.

PARA 11: Mike Nelson, Mayor of Kemmerer told how he went about the process of educating people on what they were doing with the ordinance. He didn't deny the people any vote. Their vote is whether he stays in office or not. He properly represented every town in the southern part of this community. They aren't denying anyone the right to vote and haven't heard any negative comments in the southern part of the county. 8 of the 9 communities brought forward the ordinances that they worked 6 months on to get public hearings so that is why that vote was made. If people don't want him to be the mayor, that's where their vote counts. He asked the Commissioners to stand up and show their support on the 5<sup>th</sup> penny and how important it is to the services that the people receive.

PARA 12: Larry Stepp, Mayor of La Barge said he doesn't believe anyone was denied their right to vote. He said La Barge voted against it the last time it was on the ballot but they have had not one negative response and it is an important issue for them. If they lose this you will see La Barge become half operational. They don't ask for a lot of money from the county. If we lose the 1% tax it will devastate the small communities. He would not like to see impose and to him that is strong language and that you are putting a burden on people and it's not a fair word and to reconsider how they word this on the ballot. Chairman Harmon said they have to follow statute on most of that and will be up to our attorney.

PARA 13: Tom Osborne with the Opal Town Council said he reiterates what Mike and Boyd said. He doesn't feel they took the right to vote away from anybody. 17% of the 5<sup>th</sup> penny sales tax is paid by the people that live in this county. It's paid mostly by the people traveling through. This helps us to stay away from state income tax. He said the Town of Opal would lose \$25,000 and they can't afford that. There would be a lot of services that they would have to suspend.

PARA 14: Stan Thompson, Mayor of Cokeville said there was a petition brought to Cokeville. He talked to the guy that sent the petition to him and he called the guy and he said that he wasn't against the 5<sup>th</sup> penny but was against how it was done. Nobody signed it in Cokeville. He said they need the 5<sup>th</sup> penny and we need to educate the people what this is used for.

PARA 15: Commissioner Archibald wanted everyone to know how difficult of a decision this was for her and it was nothing she took lightly. When the cities came forward, she needed to hear a compelling argument for the 5<sup>th</sup> penny to be removed from the ballot because it was a very serious thing to do. She believes the cities made a compelling argument because she would have not have supported it. It's the right thing to do in her opinion. It's a great tax and a great value for the taxpayers of the county. If she had to do the vote again, she would do it the very same way. With the petition, the voters did a good job of bringing it forward.

PARA 16: Commissioner Connelly said he wouldn't have taken it off the ballot unless all 9 cities came to us. He understands the financial strapping's of the cities. Our funding process needs to be addressed and let your legislators know. There's an education process and Lincoln County is going to be better educated on how to go about ballot issues. Voters bring the petitions to them and that is how these actions come to the board.

PARA 17: Commissioner Archibald moved to ratify our decision of April 28<sup>th</sup> to include the 5<sup>th</sup> cent sales tax option on the Primary ballot. Commissioner Connelly seconded the motion. Motion carried 3-0.

Commissioner Archibald moved to adjourn the meeting at 1:34 p.m. and Commissioner Connelly seconded the motion. Motion carried.

Attest:

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Jeanne Wagner, County Clerk

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Jerry T. Harmon, Chairman

