

OFFICIAL PROCEEDINGS
BOARD OF LINCOLN COUNTY COMMISSIONERS
June 5, 2018

Chairman King called the meeting to order at 10:00 a.m. Others in attendance included the following: Commissioners Connelly and Harmon; County Clerk, Jeanne Wagner; County Attorney, Spencer Allred and Commissioner's Secretary, Corey Roberts.

Consent Items: **1. Commissioner Harmon** moved to approve the consent agenda. Motion was adopted. **2. Commissioner Connelly** moved for the Chairman to sign the contract with Behavioral Health Division for the Lincoln County Adult Probation in the amount of \$106,053.86. Motion was adopted. **3. Commissioner Harmon** moved to sign the lease agreement with Turning Point for a building on 1809 Holland Drive in Kemmerer and 716 Adams in Afton for a 5 year lease. Motion was adopted. **4. Commissioner Harmon** moved to pay the bills. Motion was adopted. **5. Commissioner Connelly** moved for the Chairman to sign the contract with the County Health Officer in the amount of \$9,600. Motion was adopted. **6. Commissioner Harmon** moved for the Chairman to sign the contracts with MCH, PHNP, and PHN in the amount of \$174,939. Motion was adopted. **7. Commissioner Connelly** moved to support the Cokeville Trail project. Motion was adopted.

Discussion Items: **1. County Sheriff, Shane Johnson** gave an update on the state inmates. The state's plan is to pick up the current inmates on or around the 25th of the month, and the state will bring another load of inmates back to the Justice Center. The Sheriff is looking at Specialized Education programs for inmates and discussed the plans for an exercise yard. **2. Robert Linford** and **Bill Johnson** with the Lincoln County Fair met with the Commissioners on a new tractor for the Fairgrounds. To lease one would be \$16,000 for 2 years. Longer term would decrease the amount. Lease to buy is \$85,000 to \$110,000 based on the tractor. Commissioner Harmon asked if a tractor could be leased for 4 months only. Robert said most have a minimum lease of 2 years. Commissioner Harmon then asked about a good used one. Robert said used are usually little ones used in a yard and good used is hard to find. Bill said they are in desperate need of a water truck too. Robert stated they could come up with half the cost for a new tractor from their reserves. The Commissioners made no decision on this at this time. **3. Chad Stovall**, State Community and ED Coordinator and **Kirk Keysor**, U.S. ED Administration gave updates to the Commissioners and discussed state funding. Kirk said their job is job creation and job retention. Chad and Kirk both discussed the need for more broadband services in this area and what monies are available. Chairman King wants the application process to start and asked Kirk and Chad to work with the Planning Director, John Woodward. **4. April Corwin**, Public Relations Specialist with the Wyoming Cowboy Challenge Academy met with the Commissioners on what they offer young adults of the age of 16-18 and at risk from dropping out of high school. They do academics, job training and high school credit recovery. The academy offers coping skills, interview techniques, resumes, and how to look for jobs. The cadets stand at attention, march in formation, and wear uniforms. This is a free program with the state paying 25% and the federal government the rest. They can take 120 kids at the academy but 100 is the preferred amount with kids coming from all states. **5. Solid Waste Director, Mary Crosby** gave an agency update on the following: signing the contract with Wenck and their preferred dates for meeting with them; changes to the form for the elderly/disabled rate for those who have waste hauled; Idaho district and how it functions; and the contact for the former Buford Foundation R&PP. The Commissioners stated that they would have Planning be the contact for the R&PP. **6. City of Kemmerer Administrator, Andrew Nelson** met with the Commissioners on the 6th

Penny resolution and did a presentation on what the capital needs for the tax involves. The Mayors from the 9 municipalities in the county were in attendance also. Commissioner Harmon stated that it has been said that he opposes this tax, but that is not the case. It's up to the voters to approve or disapprove the tax. Chairman King agreed with this also. **7. Mayor Neunschwander** with the Town of Afton and the City Administrator, Violet Sanderson met with the Commissioners on the Simplot Ball Fields. The town is asking for assistance for the cost of maintaining the fields. Chairman King asked for all those involved to hold a workshop to discuss this request. **8. Public Health Nurse Manager, Patrice Baker** met with the Commissioners on contracts (Health Officer, MCH, PHNP, PHN). **9. Mark McGarey, Project Manager of Centerline Solutions** (representing T-Mobile), met with the Commissioners on a cell phone tower on Big Hill outside of Cokeville and an right of way easement. The County Attorney will review the paperwork before the access easement is recorded. **10. Travis Osmond, Weed and Pest Director**, met with the Commissioners on issues with the Jackson Forest Service and funding towards the spraying of weeds within the forest. Travis stated that the Kemmerer Office has been fantastic to work with. He asked for a letter from the Commissioners to spark this conversation with the Jackson Forest Service office. **11. Mayor of Cokeville, Eric Larsen** met with the Commissioners on a trails project and **Brandi Bell with the Manager of the Cokeville Senior Citizens Center** on a Daniels Fund grant. Brandi stated their grant is for a kitchen renovation. They will be short about \$3948 towards this project and asked for help from the Commissioners. Commissioner Harmon thanked Brandi and the center for what they have done, and stated they have rarely asked for help. The Cokeville Seniors have given money to other centers to help out, and he was not opposed to doing this. Eric Larsen discussed a trails project with the Commissioners. The town has applied for TAP funding for the project and asked if the county would be the sponsor for this grant and the town would be a co-sponsor. The Commissioners asked for a resolution to be prepared for the next meeting in order to do this.

Commission Presentation: James Hunting – 10 years of service.

Meeting adjourned at 3:31 p.m.

June 6, 2018

Chairman King called the meeting to order at 10:00 a.m. Others in attendance included the following: Commissioners Connelly and Harmon; Deputy County Clerk, April Brunski; County Attorney, Spencer Allred and Commissioner's Secretary, Corey Roberts

Consent items: **1. Commissioner Harmon** moved to approve the agenda for the day. **2. Commissioner Harmon** moved that file 104 PZ 18 a Conditional Use Application for Storage Buildings & Additional Building be denied. Motion was seconded with discussion. **Commissioner Connelly** commented that a lot of these land use issues they deal with are highly controversial and they have been very strong on property rights but by the same token they are the property rights for the whole county and represent the whole county and have the Planning and Zoning for a reason. He commented that they highly supported the expansion of Hwy 89 for safety reasons and the scenic by-way and for these reasons he cannot support the finding. **Commissioner Harmon** commented he is disappointed with a couple people today and their underlying threat of suit and is not one bit worried about that with the P&Z we have in place. He complimented John Woodward and the Planning staff on their work and the amount of work that John Woodward puts in and he has helped build the P&Z to what it is and appreciates it. **Commissioner Connelly** commented that he stands on public land use areas and wants to be able to control the destiny and keep the land developed and appreciates everyone being here and complimented the staff working tirelessly and these proceedings should also be handled with respect.

Commissioner King agrees with his fellow Commissioners and that the project is not compatible with the adjacent land use. Motion was adopted. **3. Commissioner Connelly** moved to approve file 407 SS 18 Keystone One Subdivision with findings of approval A and B and a resolution of approval. Motion was adopted. **4. Commissioner Harmon** moved to approve file #408 SS 18 Jettbond Estates with findings of approval A and B and a resolution of approval. Motion was adopted. **5. Commissioner Connelly** moved to approve file 204 MS 18 Flat Rock Subdivision with findings A thru C and conditions of approval 1 thru 4. Motion was adopted. **6. Commissioner Harmon** moved to approve file 701 PZ 18 with findings of approval A thru D, conditions of approval 1 thru 4 and authorization of the Board Chair to sign the development agreement. **Commissioner Harmon** commented that it's good to see the property used this way. **7. Commissioner Connelly** moved to approve file 804 AP 18 Alpine Lakes Second Filing amended plat with findings of approval A thru C and a resolution of approval. **8. Commissioner Harmon** moved to sign the Road Project Agreements with Lincoln County & Bridger Teton Forest for the Dry Creek, Grover Park and Greys River Road. Motion was adopted.

Discussion items: **1. Development Specialist, Jeanette Fagnant** gave the development permit report for the month of May. **2. File 104 PZ 18** – Darren Dunn, Conditional Use – Storage Buildings, Additional Building for Office, Garage/Shop, Apartments. **3. Darren Dunn** commented that he is fine with the permitting and conditions for Phase I and his intentions are to make attractive buildings for the area and community and that it is an investment for his future retirement. **4. Ken Ballard** gave public comment that these storage units have ruined 90% of his view and has harmed his property value. He put his house on the market to sell because of the storage units and received an offer \$50,000 under asking price. He has just paid a contractor to move trees that he already owns to the back of his property to try and mitigate this. He stated that there are great places for storage units, but not in these residential areas and it is costing him his ability to sell the property and has bought another lot to build on all because of these storage units. He invited the Commissioners to his home to see what it has done to his property. **5. Tom Bowen**, representing the Naylor's who are the adjacent property owners to the storage units, gave a handout to the Commissioners about the rural zoning and pointed out that it states it will be low impact for the neighbors and it's their opinion that this has been ignored in the process. He commented that the storage units are in the wrong zone and that the property is not being used for the sole purpose of storage units and that the best place for these would be in a mixed zone or commercial zone. Their position is that this is simply in the wrong place and will substantially affect the Naylor's property and this should be denied. He commented that this project doesn't meet the standards, it ought to be denied, it doesn't fit the zoning, it doesn't meet the requirement of low impact, and it doesn't keep the rural atmosphere in-tact and violates all these provisions in the statute. He commented if the Commissioners see it otherwise then maybe they will end up down the street to see if someone else has a different opinion. **6. Sally Bailey** commented that there were some things that were not reflected on the Planning and Zoning minutes that the Commissioners needed to be aware of. She commented that she sent the Commissioners a long e-mail and wanted to highlight a couple things. First the reconfiguration, currently the lots are in two parcels and it doesn't fit according to the density rules, also the 50' setback was discussed over and over and they could not come up with a decision, the landscaping was a huge issue coming up with solutions to try and mitigate this and no time frame was put in place for the project. She commented that they asked about how do you have oversight and how do you know the conditions put in place are being followed. She commented that there are already 19 storage complexes from the lower valley to the upper valley. She wants to reiterate what Mr. Bowen said about the low impact in rural zoning. She commented that Hwy 89 has been designated as a scenic by-way and we need to be careful what we put along it. She doesn't feel like the voice they have in this is really being listened to and that is a frustrating position to be in. She commented that the people bought their properties based on the zoning maps and that hundreds of property owners are depending

on the Commissioners to enforce the regulations. **7. Patty Speakman** a real estate agent on behalf of the Naylor's commented on other properties for sale across from storage units that have been on the market since 2016 and haven't sold due to the storage units. She reached out to a few appraisers and it was their opinion that the values of properties next to storage units would most likely be adversely affected. She commented that when people are buying property they look for location, view and privacy and Naylor's property is will be adversely affected by these storage units. **8. Carleen Jones** commented that she likes seeing the wild life and that there is a feed lot and wild life viewing area down the street from her and they don't need all this high density and can see what is being proposed out her front door doesn't like it. **9. Walt Riker** commented that he wants to focus on the big picture and that he is pro-business, pro-development, pro-investment and pro-valley as long as it's responsible. He doesn't feel that these storage units have been a responsible project and it doesn't fit in the big picture. He commented that he is very honored to live in an area that is so beautifully developed and that this project doesn't fit into the puzzle of the beautiful, well developed big picture. He commented that the most valuable property is Star Valley and these storage units ruin the vision of what Star Valley should be. He commented that this is the wrong project and the wrong time. He asked the Commissioners to look at it as a test case, what is the Valley going to look like today, tomorrow, five years, ten years from now. He quoted Commissioner Harmon's article form the Star Valley Independent because it's relevant to this case "We all need to make sure we leave a legacy for those who will follow. That Lincoln County is better off because we all lived here together". He commented that it's a great point and wondered what is the Valley going to look like, is it going to be Star Valley or Storage Valley. He commented that he wants to believe that the Commission will make the right decision and look at this as a test case. **10. Peggy Gwin** commented that she has already sent a letter and just wanted to update a little from that, it doesn't allow for a 50' setback from the highway, there is no time limit, there is no water that goes to the storage units, it has no driveway and the parcel hasn't been amended to make two lots. She commented that it's a beautiful county we live in, there is room for everyone and Mr. Dunn is more than welcome to be here and if he wants his business to flourish here that's great but he needs to make sure that he builds his business in a place that is zoned commercial for the good of the Valley. She commented that at the second planning meeting, their valid concerns were heard. **11. Jeff Strother**, on behalf of Robert and Connie Meikle, commented that Mr. Meikle is a developer himself who has contributed to the atmosphere of the Valley, the zoning is rural and conditional use permits allow for projects that have low impact on the neighbors. He commented that the interesting thing about this project is that, besides Mr. Dunn, nobody else has had anything good to say about it and he has said that it's to serve a community need but asked what is the community need. He commented that there are many storage units in other areas where they belong, so what is the need for having it there. He commented that the only need that has been presented is Mr. Dunn's retirement. He commented that there are not special circumstances to justify this special use permit and that Mr. Dunn has the obligation to explain why this permit should be granted and justify it in view of the community and that if fits into what the community needs. He suggests that the Commissioners should exercise their discretion by denying the application unless Mr. Dunn can justify this. **12. David Dunn** commented that it's not a repair shop, the existing building has already been permitted and it does have a driveway access, it's a home office, workshop and garage all in one building. He also commented that he doesn't mean any disrespect and isn't trying to cause issues by the way this has been going on and is trying to do the best he can with his property with his interest considered . He also commented that everyone around him has bought property and developed it the way they want and just because they don't approve of his way and are offended doesn't mean that's right either. He also commented that there have been some comments received in support of the project. **13. Commissioner Harmon** commented that he is normally for the little guy and property rights but feels that there are issues and has been out to look at the lot twice. **14. 407 SS 18 Keystone One Subdivision** – Reeves Farm Inc. c/o Polly Erickson.

15. 408 SS 18 Jettbond Estates Subdivision– Georgette Harmon. **16. 204 MS 18 Flat Rock Farm** Subdivision- Preliminary Plat, Kevin & Nanale Eko Paul. **17. 701 PZ 18 Targhee Place**, a Subdivision Preliminary Plat WJW Holdings WY, LLC c/o Bill Wiemann **18. 804 AP 18 Alpine Lakes Second Filing**, WJW Holdings WY, Inc./William Wiemann amended plat. **19. County Engineer, Amy Butler** reported on the following: Big Spring Scenic Backway Master Plan, the amount requested was \$20,000 and was approved on the first reading; FS Dust Suppression funding as follows - Dry Creek \$3672 (1.2 miles), Grover Park \$13,158 (4.3 miles), Greys River Road \$7038 (2.3 miles); Palisades Road; 2018 County Road Pavement Markings – Idaho Traffic Safety has completed the project, 41 days of Final Acceptance will begin this week. **19. Tiffany Monk, with Tegeler and Associates and Rob Henderson with Novo Benefits** presented the Commissioners with the County’s health insurance renewal proposal that will be effective 8/1/18. The Commissioners asked Rob to meet with the South Lincoln hospital to see if something can be worked out for their InstaCare. They also presented the current stop loss report and Sprinkbuk report. The Commissioners told Rob to move forward with the GERBER LIFE 2/BCBSWY proposal for the renewal.

Claimant/Department	Allowed
County Payroll	\$ 418,021.44
Aflac;Employee Contributions	\$ 1,555.56
American Heritage;Employees Contributions	\$ 134.69
Bank of Star Valley;Employee Contributions	\$ 8,890.00
Bank of the West;FICA/Medicare/Federal Tax	\$ 115,917.78
Group Life Ins.;Employee Contributions	\$ 352.00
HSA Bank;Employee Contributions	\$ 3,712.16
Legal Shield;Employees Contributions	\$ 150.40
Lifetime Fitness;Employee Contributions	\$ 148.50
Lincoln County Treasurer;Insurance contributions	\$ 8,310.00
Lincoln Financial;Employee life insurance	\$ 4,626.49
Orchard Trust;Employee Contributions	\$ 4,285.00
Washington National.;Insurance	\$ 71.00
Washington State Support Registry;Child support	\$ 605.00
Wy.Child Support;child support charges	\$ 2,368.00
Wy.Dept.of Workforce Services;workers comp.	\$ 11,149.55
Wy.Retirement;Employee Cont./Cty.Match	\$ 84,891.92
Ace Hardware;Courthouse,materials,supplies	\$ 805.82
All Star Auto Parts;Landfill,parts	\$ 109.18
All West Communications;Landfill,service	\$ 111.80
Amsterdam Printing;County Clerk,employee folders	\$ 147.47
Bingham's Funeral Homes & Cremation Supplies;Coroner,body bag	\$ 81.88
Broulins;Ext.Service,supplies	\$ 11.37
Bomgaar's;County Offices,supplies,parts	\$ 211.05
Carbon Kennington;Ext.Service,mileage	\$ 10.92
Carrott-Top Ind.;Courthouse,flags	\$ 300.24
Century Link;County Offices,phone service,internet	\$ 8,874.01
Clty of Kemmerer;County Offices,water,garbage	\$ 1,951.07
Culligan;Courthouse,water	\$ 121.00
Dell Marketing;County Offices,support,precision towers	\$ 5,881.40
DJ's Glass;Courthouse,materials	\$ 19.18

Eagle Uniform;Courthouse,laundry	\$ 168.15
Elite Card Payment Center;County Offices,expenditures	\$ 17,593.52
Fastenal;Landfill,parts	\$ 653.12
Hastings;County Offices,supplies	\$ 272.42
IBM Corp.;Assessor,statistics program	\$ 753.20
Idaho Communications;LCEMA,radio programming	\$ 180.00
HK Contractors;No.Road & Bridge,cold mix	\$ 55,699.20
Justin Day;PHN,mileage	\$ 105.93
Kellerstrass;Landfill,fuel	\$ 1,901.91
Kent Connelly;Commissioner,mileage,supplies	\$ 59.52
Lincoln County Search & Rescue;G.A.,budgeted funds	\$ 9,998.00
Lower Valley Energy;County Offices,service	\$ 3,052.03
Lower Valley Glass;LCEMA,windshield	\$ 412.00
Mark Ristzu;Landfill,gloves	\$ 19.93
Market Place Services;C.E.,appraisal	\$ 2,500.00
Martins Flag Co.;G.A.,flags	\$ 401.31
Michael Richins;Coroner,postage	\$ 43.21
NeoFunds;County Offices,postage	\$ 3,530.51
Office Depot;County Offices,supplies	\$ 786.63
Outlaw Supply;Courthouse./Justice Center,contract cleaning	\$ 2,593.00
Patty Pringle;LCEMA, wages	\$ 1,044.85
Peddler's Fair Cleaning Service;Courthouse,cleaning contract	\$ 3,299.98
Printstar;County Offices,supplies	\$ 16.09
Purchase Power;County Offices,postage	\$ 208.69
Quill Corp;County Offices,supplies	\$ 440.17
Raw Power Motor Sports;Landfill,parts,labor	\$ 211.80
RealDyne West;So.Road & Bridge,fuel	\$ 2,046.98
Rick's Repair,Landfill,parts,labor	\$ 8,375.08
Rocky Mountain Competitive Solutions;G.A.,copier leases	\$ 519.94
Rocky Mountain Power;County Offices,service	\$ 7,693.10
Sanderson Law Office;Clerk of Dist.Court,services	\$ 312.25
Sellers Auto Parts;Landfill,parts	\$ 116.07
Shaily Harshbarger;Ext.Service,mileage	\$ 235.66
Shar Perry;Extension Service,travel expenses	\$ 346.07
Silverstar Communications;County Offices,service	\$ 422.81
Star Valley Disposal;NLCPF,trash removal	\$ 194.00
Star Valley Independent Media;G.A.,Publications	\$ 563.67
Star Valley Quick Stop;No.Road & Bridge,fuel	\$ 86.00
Steve Smurthwaite;LCEMA,firewise reimbursement	\$ 2,100.00
Sublette Electric of Wy.;Courthouse,materials,labor	\$ 3,078.66
Thayne True Value Hardware;Landfill,supplies	\$ 75.94
Town of Afton;No.Road & Bridge.water	\$ 34.00
Valley Auto Supply;County Offices,supplies,parts	\$ 541.14
Viviano's Concrete;Courthouse,materials,labor	\$ 1,500.00
Wagner & Wagner;Landfill,fuel	\$ 1,646.31
Wazitech Technical Solutions;MIS/IT,services,support,equipment	\$ 21,393.57
Wex Bank;Landfill,fuel	\$ 267.72
Wheeler Machinery;Landfill,parts	\$ 4,411.78

Wick's Construction Services;NLCPF,contract cleaning \$ 3,038.33
Wy.County Assessor;s Assc.;Assessor,registration dues \$ 150.00

Meeting adjourned at 3:18