

OFFICIAL PROCEEDINGS

BOARD OF LINCOLN COUNTY COMMISSIONERS

SPECIAL MEETING

Chairman King called the Special Meeting to order at 9:00 a.m. Those in attendance included the following: Commissioner Harmon; County Clerk, Jeanne Wagner and Commissioner's Secretary, Corey Roberts. Commissioner Connelly was absent due to being in attendance at a meeting in Cheyenne.

Consent Items: **1. Commissioner Harmon** moved to approve the agenda. **2. Commissioner Harmon** moved to sign the resolution establishing fire closure for Lincoln County effective September 22, 2018 at 12:01 a.m. Until further notice of this Board, any open fire or discharge of any Class A, B, and/or C fireworks is prohibited on all state and private land including, but not limited to, all lands owned by Lincoln County or in which Lincoln County holds or owns an interest, including county road, easements and rights-of-ways in the unincorporated areas of Lincoln County. The prohibition is subject to other exceptions. Motion passed.

Discussion Items: **1. Chairman King** stated the purpose of this Special Meeting was to sign a resolution establishing a fire closure for all of Lincoln County, effective September 22 at 12:01 a.m., until further notice. The county will use resources such as SVI media, county website and Facebook pages to inform the public of this ban. **Commissioner Harmon** stated that there is some burning allowed including the Landfills. **County Attorney, Spencer Allred** said some fires are allowed in approved fire rings in established campgrounds. **Fire Marshall, Kelly Hoffman** said that there are 6 fires burning with most of them being human caused with the start of the hunting season. He wants the public to be aware of how dangerous it is. **County Attorney, Spencer Allred** also stated there is exception for wood cutting as long as spark arresters are installed. Kelly said that the Forest Service also requires a shovel and fire extinguisher.

Any amendments or corrections to these minutes will be shown in the next meeting minutes.

Meeting adjourned at 9:13 a.m.

Attest:

Jeanne Wagner, County Clerk

Robert E. King, Chairman

Recorded 9/21/18 at 10:25a. M
In Book 4 Page 460 Kemmerer, WY
No. 2018-38 Jeanne Wagner, Clerk

RESOLUTION NO. 2018-38

ESTABLISHING FIRE CLOSURE FOR LINCOLN COUNTY

WHEREAS, the Board of Lincoln County Commissioners are empowered by Wyoming Statutes 35-9-301 through 35-9-304 to close areas to fire when the fire danger in the county is extreme because of drought, the presence of any excessive amount of flammable material or for any other sufficient reason; and

WHEREAS, the Board of Lincoln County Commissioners are empowered by Wyoming Statute 35-10-208(a)(i) to prohibit the sale to Wyoming residents or use of fireworks by adopting a resolution pursuant to Wyoming Statute 35-9-301; and

WHEREAS, the County Fire Warden has recommended a partial fire closure and prohibition on the use of fireworks on all state and private land within Lincoln County; and

WHEREAS, the Board of Lincoln County Commissioners find there is an extreme danger of fire throughout Lincoln County because of drought conditions and there is a presence of an excessive amounts of flammable materials and the high fire danger is aggravated by open burning and the use of incendiary devices;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF LINCOLN COUNTY COMMISSIONERS:

1. Effective September 22, 2018 at 12:01 a.m. until further notice of this Board, any open fire or discharge of any Class A, B and/or C fireworks is prohibited on all state and private land including, but not limited to, all lands owned by Lincoln County or in which Lincoln County holds or owns an interest, including county roads, easements and rights-of-ways in the unincorporated areas of Lincoln County. The prohibition is subject to the following exceptions:

- a. Trash or refuse burned between the hours of 6:00 p.m. and 8:00 a.m. inside containers equipped with spark arresters that are located within a cleared area that has at least a ten (10) foot radius, and comply with all other laws and requirements.
- b. Camp fires contained within an established fire ring at an established campground provided the fire complies with BLM, Forest Service, and National Park Service regulations in effect at the time.
- c. Charcoal and propane fires within enclosed grills.
- d. Use of acetylene cutting torches or electric arc welders provided the torches or welders are used within a cleared area with at least a ten (10) foot radius.
- e. Propane or open fire branding activities provided the branding activities are conducted within a cleared area with at least a ten (10) foot radius.
- f. Use of chain saws provided the chain saws have spark arresters properly installed and functioning.
- g. Federal, state or local fire or law enforcement officers participating in fire, emergency, and law enforcement activities.
- h. Public-sponsored fireworks displays which are coordinated with the County Fire Warden or his designee.
- i. County Landfills operating within their permitted uses.

2. The County Fire Warden shall promptly notify the Board of County Commissioners of any changes in the severity of the fire danger.

BE IT FURTHER RESOLVED, that penalties provided in Wyoming Statute 35-9-304 may be imposed for violations of this resolution; specifically, a fine not to exceed one hundred dollars (\$100.00) or imprisonment not to exceed thirty (30) days or both to which may be added costs of restitution.

BE IT FURTHER RESOLVED, that the County Fire Warden shall immediately notify the Wyoming State Forester of the limitation provided for by this Resolution, as well as any and all subsequent modifications hereto and/or rescission hereof, as required by the Board of Land Commissioners' Rules and Regulations, and shall assist in public notification by posting the order and circulating it to all local media.

PASSED AND APPROVED this 21 day of Sept, 2018.

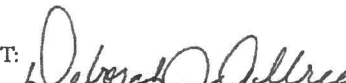
BOARD OF LINCOLN COUNTY COMMISSIONERS


Robert E. King, Chairman


Kent Connelly


Jerry T. Harmon

ATTEST:


Jeanne Wagner
LINCOLN COUNTY CLERK

