

**Big Horn County
Planning and Zoning**
*Hyattville Community Center
308 Main Street, Hyattville, WY
February 12, 2008
1:00 p.m.*

Board members present: Rich Fink, Bill Roady, Ben Snyder and Mary Flitner

Absent: Mary Russell

Planning staff present: Jim Waller and Nick Wilson

Others present: Dori Noyes, Big Horn County Clerk and secretary to the board; Ken Markert, A.I.C.P., community planning consultant; Ann and Jack Joyce, JoJean DeHony, Gay and Jerry Tharp, Brenda TenBoer, Ryan Felkins, Doug Cauffman, Scotty Hinman, commissioner; Bob Herman, Breean Waller, Brock, Lee and Julie Snider, Tom Easterly, Sis Sylvester, Bill Pritchard, Claudia and Ken Derringer, Janice and Carl Wake, Jeff Page, Leslie and Terry Jeffers, Jacob Sinner, Joni Moreland, Quint Vavra, Cindy Cullison, Jeff Umphlett, Larry and Pat Wedel, Ted and Ruth Ann Cox, Mandy Rodriguez, Greg Meinecke, engineer; Lin and Mary Lou Doyle, Dave Greer, Mike and Jack Donnell, Don Freitas, Jenny and Justin Mercer, Keith and Linda Hamilton, Martin Mercer, Cathy Caines, Kelly and Dean Darling, Rich Childress, engineer; Tom Zierolf, Kane Morris, Loren Smith, State Board of Control; Eva Negus, Judy and Homer Morris, June Booth, Gene Robertson, Lee Lockhart, Wyoming Dailey News, John Alm, Bill Greer and Guy Tharp

The meeting was called to order by Rich Fink, acting chairman, at 1:00 p.m.

Approve Minutes from the January 8, 2008, meeting.

Bill Roady made a motion and Ben Snyder seconded the motion, all were in favor and carried to approve the January 8, 2008, land planning minutes.

Public Hearing: John Alm's Paintrock Crossing major subdivision proposal. (70+ Lot proposal adjacent to Hyattville, WY)

Rich Fink asked those present to abide by the timelines set forth at the beginning of the meeting.

Presentation was given by Ken Markert, community planning consultant, who gave an overview and a summary of the major subdivision processes for Big Horn County. He said the purpose of the meeting is to hear from the public on the development of the Alm's Paintrock Crossing major subdivision proposal. Ken gave a synopsis of what the county land planning office has addressed in the proposal for the subdivision. He said the planning commissioner must decide by March 15, 2008, for the next steps in the process. He also discussed the water and sewer issues that would be considered in the next phase of the project as well as emergency services, flood plains and fire protection. Ken said there are some good aspects of the overall plan and said they have some good designs and the various stages of the potential proposed subdivision are planned well

John Alm gave an overview of the project. John gave his views on why his master plan was the best for the area. He would like to get everything correct before houses are built and sold. John introduced Greg Meinecke, Meinecke Engineering who gave a synopsis of the commercial septic system their company would like to implement. He spoke of an existing system in Big Horn County located in Manderson. He discussed leach systems, flood Plains and water quality. He said flood plain information will be given to FEMA before being presented to the land planning board.

Mike Donnell of Donnell and Allred and Kane Morris discussed options for water rights, buffers, extreme waterbeds, walk-ins and stream beds.

Jack Joyce asked questions about the quality of the water that is being discharged in Manderson from the water system proposed to be used in Hyattville and who would be hired as a water committee. Jim Waller addressed Jack's questions and told the public their system was given a 100% standards report. John Alm says the septic system would be on each lot and go into a leach field not managed by others. Greg Meinecke agreed that the process would not be run by a hired overseer like Manderson. Greg explained further and gave more detail of the system. Jack Joyce questioned whether the homeowners had to have a computer. Rich and Greg said no homeowner will be required to do anything with the system. Anne Joyce was told it would be released into the streams. Rich Fink explained how the water would be released after going through the system and Greg Meinecke agreed. Jim Waller discussed further water quality processes approved through DEQ with their enhanced treatment systems. Bob Herman gave his concerns about septic systems and the irrigation ditches after the proposed houses are built.

Rich Childress discussed ditches and the possible re-routing of the ditches. He also discussed an irrigation plan which is addressed in the irrigation plan process.

Rich Fink told those present of the many letters that the land planning office had received from citizens on this project.

Martin Mercer expressed the same concerns as Bob Herman and asked about the cost to move large irrigation lines.

Mary Flitner gave Martin suggestions to get with Bob Herman and NRCS to discuss water and ditch issues. They voiced their concerns that new owners would not have any idea how to take care of ditch and irrigation maintenance issues.

Jim Waller discussed water rights and said it has been taking 18 months to get water rights approved from the State Engineer's Office. Jim talked about easements and possibly writing them in the overall plan.

Dave Greer gave his concerns on water usage also. Dave gave an explanation and concerns regarding moving and abandoning water rights. Loren Smith with the State Engineer's Office discussed the water issues in regards to subdivisions. He said they do a mechanical review which is set forth by state statute. Loren says they take a real critical look at water issues.

Dean Darling gave his opinion of not trusting of the State Engineer's Office.

Brock Snyder read a letter he had prepared regarding his feelings and concerns on the proposed 80-lot subdivision.

Jack Joyce also sent a letter of concerns and gave his comments regarding landowners and their rights. He also quoted Commissioner Grant as saying, "Rural subdivisions are a drain on county taxpayers".

Dean Darling questioned when this is all said and done, who pays for the lawyers to make this septic system and water process work during the long range planning? He would hate to resort to going to court over flood and waste water. Dean wants an assurance that all issues are taken care of in regards to water and sewer.

Jim Waller said if DEQ requires specifics from the homeowners and the landowners are not complying, then he will not give them permits to build.

Breean Waller, realtor, gave her comments on why she has a hard time with 80 new homes but also agreed that change is very important and can be beneficial.

Jenny Mercer, landowner, gave her concerns regarding ditches also. She also mentioned not being notified of the public hearing. She said she is not too worried about the septic systems after dealing with Jim Waller because she says he is very strict regarding septic systems. She does have some concerns about ground water and pesticides. She would like to see the people educated about not using pesticides.

Lee Snider thanked John and Carolyn Alm who in his opinion have a great capacity to do good things. He asked the board to look at the delicate balance of this project. He doesn't envy making the decisions which will reflect heavily on the community.

Eva Negus gave her concerns which included air quality as Hyattville may have to deal with traffic and garbage issues as new homeowners come into the community. She is also concerned about public roads.

Pat Wedel talked about the uniqueness of the valley and gave her concerns regarding the pollution and the quality of life in the valley and how this issue will affect everyone here.

Guy Tharp said he doesn't want change in Hyattville.

Kathy Caines, landowner in Hyattville, gave her comments on property and the plusses to being able to purchase land and property in such a great area.

Kelly Darling talked about the Hyattville water with the new district. She talked about artesian and agricultural water and asked about losing water, not having any history with an improvement district.

John Alm applied for and received approval for twelve taps. He said over time, he will re-evaluate the capacity of water issues.

Rich Fink asked for any further comments from the board. Mary Flitner said she doesn't believe she has enough knowledge as a new board member to make a decision at this meeting. She gave thanks to the public for their comments.

Rich Fink said he believes the board has the following options:

1. Vote to approve or disapprove
2. Table for 30 days
3. Request for the application to be submitted with reasons

Bill Roady asked for further explanation on the location of the subdivision and about the phases. He also asked question's about small lots and how they would work with the enhanced water systems. Greg Meinecke, Meinecke Engineering said he has lots of literature for education purposes for anyone interested.

Ben Snyder asked John about any structural changes to the proposed subdivision. John said the proposed subdivision can be tweaked to work with the water and sewer issues.

Cindy Cullison spoke to the board in regards to the proposed subdivision and gave her concerns of the growing of the community, security issues, law enforcement and wildlife loss if this happens.

Rich Fink spoke of the board's responsibilities to act on these issues as written by state statutes.

Bill Roady would like to make a motion to table the issue to the next meeting which is scheduled for March 11, 2008. Mary Flitner seconded the motion. All were in favor and with no opposition, the motion was carried.

Robert Elliot: presentation of information & letter by Doug Cauffman to discuss a time extension for the Dorsey Creek major subdivision. (138 lot subdivision proposal located 6 1/2 miles west of Basin, WY)

Doug Cauffman asked for an extension to the Dorsey Creek Subdivision as a representative for Robert Elliot. Jim Waller talked to an employee of the Board of Control water rights and found a conflict with detaching the water rights in regards to the pond. Jim said he would support the extension. Jim gave more specifics pertaining to the conflict that need to be addressed before finishing certain stages and he gave timelines of the project and explained what they are now working on and that the final plat can be expected this summer.

Jim Waller recommends extending for a period of maybe one year. Jim says there is a legal limitation for only two extensions. Doug gave a synopsis of the project.

Bill Roady made a motion to extend the Dorsey Creek major subdivision. There was discussion by the board and Bill amended the previous motion to extend the final extension of the Dorsey Creek major subdivision for one year. Ben Snyder seconded the motion. All were in favor and with no opposition, the motion was carried.

Ryan Felkins' proposed simple subdivision; Lot size is approximately ¾ acre with new residence. Requesting permission to divide a parcel smaller than 5 acres through the simple subdivision process. (North of the Lewis Brothers Subdivision, Lovell, Wyoming)

Ryan gave a brief summation of the proposed simple subdivision that he is asking for. Jim Waller gave a map of the property to the board and explained the potential concerns. Jim says the board just needs to decide whether they can divide as presented. Jim discussed contamination issues on the small property that is proposed to be split. Jim says the biggest complication is the water rights. Ryan has contacted the State Engineer's Office (NED) for direction of the water rights. Ryan says there is only one person that flood irrigates his lawn and the only time he has seen the water used. Jim Waller says he needs to have a survey and the Town of Lovell will have to sign off on the project. Jim Waller says it has city sewer. Rich Fink asked about the easements being acceptable.

Ben Snyder made a motion to allow the Felkinses to subdivide their parcel into two lots. Mary Flitner asked for further information. Bill Roady seconded the motion. There was no further discussion. All were in favor and there was no opposition. The motion was carried.

Ruth Ann Cox asked the board and land planning office to discuss a vacation of an alley in Hyattville. She also wanted to discuss a gazebo that John Alms wants to put up that might cause some complications. Rich says Ruth Ann needs to talk with the commissioners and discuss this issue further with the land planning office.

Old Business/Updates

a. Matt Bassett

Jim Waller says Matt Bassett will be at the Lovell meeting March 11, 2008, and has both of the plats done.

b. Flitner White Creek Development, Vern Smith simple subdivision, & other developments

The Vern Smith simple subdivision was discussed by Jim Waller. He said they have completed his survey and both septic systems were approved previously. He doesn't have a map ready. Jim talked with Linda Hamilton on the issue and the board will see the plat in March.

Dave Flitner, would like to do a simple subdivision at the Snow Shoe Lodge. There are ingress and egress easement problems per Jim Waller on the existing application. Jim Waller said Dave Flitner needs to get with his lawyer for guidance. Jim said they would have to change the land use if this goes forth. Rich would like Jim to get a map of the area. Jim is

concerned about land lock issues. Dave has two other cabins that need to be subdivided (after the fact), says Jim Waller. The acreage will be about 1 ½ acres and exist on Greybull water and septic systems. Jim spoke about the White Creek Development. Dave told Jim that he is pondering other factors and possibly going with 35 acre lots.

c. Gary Cribbs simple subdivision, pending survey

d. Anderson simple subdivision: not heard anything from him

New Business:

a. Jim gave staff reports and discussed new potential happenings

b. Jim discussed the planning committee for the land use plan and reviewed the letters of interest. Jim says the board needs to decide what they want to do. Jim says he has some names to consider for the committee. Ten people were initially wanted for the committee. The following are the areas who responded:

Shell Valley -2

Manderson – 1

Otto – 1

Lane 50 before the Nowood River, outside of Manderson -1

Dorsey Creek -1

Emblem Bench -1

Big Horn/Park County -1

Rich has talked with north end people but there was no commitment and will continue to do so.

Deb McKim suggests going to the north, maybe the town council for a voice. She suggested maybe some input from local utilities. She feels the steering committee should be a part in the land-use plan also. Ben Snyder and Mary Flitner agreed that utility companies need to be involved. The board asked for Ken Markert's opinion. Ken talked with utility employees and they already said they would not want to be involved for the most part in the process. He suggested habitat and environmental in put could offer as advisement teams to the board also.

Mary Flitner asked Ken what the normal structure is. All those present had discussion.

Mary Flitner made a motion, and after further discussion was amended, to recommend to the county commissioners to accept the eight people who have applied for the land-use planning committee and to hold open the applications until June 1, 2008, for further applicants. Ben Snyder seconded the motion. There was no further discussion. All were in favor and there was no opposition. The motion was carried.

Rich made a suggestion to the rest of the board to appoint Mary Russell and Mary Flitner to the land-use planning committee.

Ben Snyder made a motion to adjourn the meeting. Bill Roady seconded the motion. There was no further discussion, all were in favor with no opposition and the motion was carried.

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