

Difficulties continue between Pinedale Town Council, P&Z

Posted: Wednesday, Apr 16th, 2008

BY: Tiffany Turner

At the March 3 Town of Pinedale Planning and Zoning (P&Z) meeting, the P&Z board voted to go into a closed executive session.

Pinedale Mayor Steve Smith has since requested minutes from that meeting to validate its legality, saying the P&Z board is an entity of the Town of Pinedale and therefore had the right to request the minutes.

"I asked the chairman (Paul Rock) to see the minutes from that meeting and he has refused," Smith said.

According to P&Z board member John Fogerty, members of the P&Z board have received letters from several lawyers questioning the meeting's validity and legality and stating a fine may be imposed should the executive session be found illegitimate.

The letter's "threatening" nature bothers Fogerty.

"I think it is kind of silly to send a threatening letter to a group of individuals volunteering their time," Fogerty said.

The only way the fine could be given is if the board "knowingly" went into an illegal executive session, he added, since Wyoming statutes state very specifically what constitutes the right for a public board to go into an executive session.

According to Smith, he requested the minutes from that meeting to ensure the legality of the session not out of inquisitiveness on his own part but because "liability of an ultimate lawsuit would fall on the town."

"I was asking for those minutes out of concern for the town," Smith added.

Although several on the P&Z board agreed with Rock's decision to withhold the executive session's minutes from the Town Council, member Roz Leslie spoke to the council dissenting with Rock's choice.

"The P&Z board was appointed, not by you, but by the former mayor and town council," Leslie said. "Whatever information we garner should be given to the town council and the mayor as we were appointed by them ... and we serve at their pleasure."

The mayor agreed, stating P&Z and the town need to work together and such minutes would still remain "in house."

Smith said he has not requested the minutes a second time and nothing further was done about the situation but should the need arise to determine whether or not the executive session was legitimate, the issue would be dealt with at that time.

Also at Town Council:

- The council has retained Gwen Myers to look into the possible conflict of interest brought forth by the P&Z board concerning Bloomfield and Town Attorney Ed Wood.
- The preliminary plat for the Bloomfield subdivision was tabled to allow the council to further look into rules and regulations concerning utilities and infrastructure as needed for preliminary and final plats and for the bonding for these items for the current owners and any possible buyer entering into a contract for land with the subdivision before the final plat.
- WHI-Pinedale, LLC was granted a Commercial building permit to construct a Hampton Inn & Suites on the west end of town near the new BLM field office. The main concern at the prior P&Z meeting was that the town does not have a fire truck with a ladder tall enough to reach rooms at the height of the proposed hotel. This situation is being looked into.

"Town officials had received information that indicated that the county commissioners had allocated sufficient funds for obtaining the ladder truck," Smith said. "County officials continue to clarify that information and town and fire district officials continue to work cooperatively with county officials to do whatever is necessary to obtain this important firefighting apparatus for our community."

- Councilman Gary Hueck motioned and council passed, with Chris House absent, to place a nonbinding resolution on the upcoming town elections concerning the possible town purchase to expand Boyd Skinner Memorial Park. Hueck felt, while surveys were sent out with water bills and the majority returned favor the town's purchasing the lots, not every voter had the chance to vote, only those paying water bills for their property.