

**Wyoming Public Lands Initiative (WPLI) Fortification Creek  
Advisory Committee Meeting  
February 6, 2017**

Present: Commissioner Rusty Bell , Campbell County; Commissioner Bill Novotny, Johnson County; Commissioner Bob Perry, Johnson County; Commissioner Micky Shober, Campbell County; Commissioner Matt Avery, Campbell County; Dave Clarendon, Conservation; Karlon Knudson, Ag/Ranching; James Hansen, Energy; Barry Hayden, AG/Ranching; Debra Hepp, Conservation; Wallace Leastman, General Public; Carrie Little, AG/Ranching; Jeremy Murphy, Sportsman; L.D. Gilbertz, Energy; Bryna Long, General Public; Todd Anderson, Sportsman Group

Public: John Tinnel, Megan Taylor, Jake Q.

Minutes from the January 9, 2017 meeting were approved.

**Review of the WPLI County Advisory Committee Model Charter**

The charter governs how the committee gets to the final resolution on what the committee thinks should happen to Fortification Creek. The committee will put together a recommendation. When the committee votes they do not have to be unanimous. After the committee has completed their charter they will send it to Campbell County Commissioners and Johnson County Commissioners. The Commissioners can either approve the work or send it back to the committee for more information.

The group went through the Model Charter by page.

1. **Background and Project Description.** Nothing added or deleted.
2. **Purpose.** The first line should read – The Campbell and Johnson Counties Board of Commissioners has appointed the Fortification Creek WPLI Advisory Committee to conduct a collaborative review process of the WSAs and other potential land use interests in Campbell and Johnson Counties
3. **Products and Outcomes.** The first line should read – The Fortification Creek WPLI Advisory Committee will develop a proposed management recommendation for the WSAs within the counties.

Ms. Carrie Little asked “When we talk about the rationale for the recommendations, do we have parameters set for that, are we going to address multiple use and access or no access?” Commissioner Novotny answered that the site boards on what can be done is the BLM management categories. The Advisory Committee will have another varied detail presentation from BLM to go through what happens if the committee decides to make Fortification Creek wilderness or if you decide for a hard release. The issue of access and multiple use are well within the committees purview to make a recommendation. There will be an Act of Congress that will tell BLM what to do with this land. BLM will have to amend their RMP to reflect whatever this group has decided. There is a section of state land within Fortification Creek, so the committee will hear from the Office of State Lands and Investments on what they think should be done with the section of state land.

Mr. Dave Clarendon asked “What is the land use planning board?” Campbell County has a land use planning board; Ms. Debra Hepp is on that board. Johnson County has a comprehensive land use plan. Commissioner Novotny stated that he can bring the plan to the next meeting and everyone can look at the section that refers to Fortification Creek. Johnson County’s plan only states what the uses are now.

Mr. Dave Clarendon wants clarification if the BOCC remands the recommendation back to the Advisory Committee for additional deliberation. Does this mean the BOCC has a predetermined outcome. Commissioner Novotny said that by the Commissioners attending the meetings that they can get a better understanding of what the committee wants. Campbell County will bring a copy of their Land Use Plan to the next meeting.

4. **Geographic Area.** First line should read – The Fortification Creek Advisory Committee will develop recommendations for the following WSAs wholly contained with the county. The WSA will match what BLM has for those areas.

5. **Advisory Committee Membership and Representation.** Each name of the Advisory Committee and who they represent will be placed in this section.

**Alternates:** Mr. Barry Hayden recommended having alternates with a proxy without naming them ahead of time. This will keep the meetings moving forward. The committee voted on Alternates with Proxy. All members voted yes.

**Voluntary Withdrawal and Replacement Appointments:** Ms. Carrie Little recommended that the replacement appointee come from the BOCC. Mr. Wallace Leastman recommended that the BOCC go back to the ones that were not selected for the Advisory Committee and chose one from that group. Commissioner Micky Shober stated that the Campbell County Commissioners would prefer to go back to the original list of individuals and chose a person from that list.

The consensus from the committee was to remove the 1<sup>st</sup> sentence. The second sentence should read: The Board of County Commissioners will appoint a replacement member from the same interest category using the previous list of applicants or alternates, so long as such replacement is acceptable to the Advisory Committee Members.

The committee voted to remove the 1<sup>st</sup> sentence and agreed to the new wording of the 2<sup>nd</sup> sentence. All members voted yes.

**New Member Appointment:** Mr. Karlon Knudson asked about the sentence that states once the active negotiations have begun, new members will not be added...Mr. Knudson wanted to know if this applies to the previous discussion. Commissioner Novotny stated that if the committee decides there is a need to have additional interests represented the committee can identify the potential candidate and make a decision if a particular candidate in that field should be added. Ms. Carrie Little asked what would constitute active negotiations. Chairman Novotny stated that he interprets that to mean that the committee has gone through the process and collectively agreed that the committee does not need any more expert presentations, and the committee has started writing their recommendations.

**Role of Committee Chair (Co-Chairs):** Mr. Dave Clarendon stated that they are operating under Robert's Rules of Order. If something comes before them they need a 1<sup>st</sup> and 2<sup>nd</sup> on the motion so a Chairperson is required. He nominated Ms. Carrie Little as the Chairperson. The committee voted that Ms. Carrie Little will be the Chairperson for the committee. All voted yes. The committee voted that Mr. Dave Clarendon will be the Vice-Chair for the committee. All voted yes.

6. **Responsibilities of the Advisory Committee**

- a. **Conduct of Advisory Committee Members.** No additions or deletions.
- b. **Keeping Constituents Informed.** Chairwoman Carrie Little understands that if a committee member has information that they want to share to the members that they don't need to wait until the next meeting they can email the information to the committee members. Minutes of the meeting are posted on the Wyoming County Commissioners Association website [www.wyo-wcca.org](http://www.wyo-wcca.org) under Initiatives then follow the links. Vice Chair Clarendon thought that publishing the minutes in the newspaper

was not necessary. Commissioner Novotny said that if the committee wants to write in their charter that they want the meeting notices published in the two papers of record in the two counties involved the committee can tell the Commissioners to do that. Vice Chair Clarendon stated that a short notice of when and where the meeting will be held would be sufficient for publication.

- c. **Representing Constituents.** Nothing added or deleted.
- d. **Attending Meetings.** Nothing added or deleted.
- e. **Understanding and Abiding by the Charter.** Nothing added or deleted.

The committee voted to adopt section number 6. All members voted yes.

7. **Responsibilities of the Facilitators.** The Advisory Committee will be facilitated by the Campbell County and Johnson County Commissioners. The notice of meetings will be published in the two newspapers of record for the two counties. Vice Chair Clarendon stated, based on expense, he didn't think the committee needed to hire a formal facilitator. Campbell County and Johnson County Commissioners are the facilitators for the committee. Mr. Wallace Leastman asked who puts the agenda together. Commissioner Novotny said that the Commissioners have been putting the agenda together but after the charter has been finalized that the Advisory Committee will set the agenda. The commissioners will schedule BLM, Wyoming Game & Fish or the Office of the State Lands. Once the committee has the agenda together, they can email it to the Campbell County Commissioners office and their office will have copies for everyone in attendance. Also the Campbell County Commissioners office will make copies of any paperwork and maps.

**Meeting Summaries:** Facilitators will develop meeting summaries (minutes) within 5 to 7 business days following the Advisory Committee meetings and will notify committee members of their availability.

**Agenda:** The final agenda will be provided to the committee members a week prior to the meeting. Chairwoman Little said that at the end of each meeting they will start laying out the agenda for the next meeting so that everyone will have input. That does not imply that other items cannot be added during the month prior to the next meeting.

The committee voted to adopt section number 7. All members voted yes.

8. **Decision Process.** One of the committee members said that he has not dealt with consensus before and wanted Commissioner Novotny to explain the process to him. Commissioner Novotny said that if there was a section in Fortification Creek that the committee thought should remain wilderness and should be separate from what the committee was going to do with the area then the committee votes. But instead of a straight up and down vote you give the members some latitude. If you want to favor that but want to see what is going to happen with the rest of the area, you vote a 2 or 3. If it is something that you can't live with and you wanted to open that area up to oil and gas than you vote against it. What you have decided on constitutes consensus within the group. Then you would decide if that is included in your report. The goal is that after everyone has worked through the report, that everyone can reach consensus. Ms. Bryna Long asked if a certain percentage of the committee be at 1 not 2 or 3? A committee member said that what she was suggesting is that instead of consensus you would use a majority vote. Commissioner Novotny stated that this is their charter and they can put into it what they want. Vice Chair Clarendon said that this is not written in stone that if needed they can come back and amend the charter. Commissioner Novotny said a statement needs to be placed in the charter that they can amend it.

**Public Comment:** Are you going to go with a straight up and down yes or no vote? Does one “No” shoot down the decision because one block will give you no consensus? Chairman Novotny said that the Advisory Committee will decide on what constitutes consensus.

There was a discussion on the voting process. A decision was made that during the voting process that the Chairwoman would vote. Chairwoman Little stated that the wording should read as stated but after why should read if they so desire.

The committee discussed on taking out the point system and replacing it with the super majority vote of 2/3 in attendance. The committee discussed on what constitutes a quorum. The group decided on 7 members will constitute a quorum.

9. **Ad Hoc Groups.** No additions or deletions.
10. **Ground Rules for Interaction.** Vice Chair Clarendon requested that after the word Facilitator that “or Chairwoman” be added. Ms. Debra Hepp asked a question on the media and stated that she is not comfortable talking with the media and would like to be able to refer them to the Chairwoman or the Vice Chair. Vice Chair Clarendon stated that Chairwoman, Vice Chair or appointed spokesperson would talk with the media. He stated that if an Advisory Committee member wanted to speak to the media they are speaking for themselves and not the Advisory Committee as a whole. Mr. Jeremy Murphy said the he agrees that talking with the media can result in your words being twisted around and doesn’t advise anyone to talk to them. He also asked that portion two-minute time limit for statements be taken out. The consensus was to take the sentence out that reads-Honor a two-minute time limit for statements and responses unless the Facilitator allows more time.
11. **Public Participation at Group Meetings.** Chairwoman Little said that if you have many things on your agenda that the public comment periods could be inserted where needed during the meeting instead of at the end of the meeting. Mr. Karlon Knudson stated that after each agenda item a two minute window for public comment can be inserted at the discretion of the Chairwoman. Commissioner Novotny will ask the advice of the County Attorney on Executive Session for the WPLI Fortification Creek Advisory Committee. Chairwoman Little would like to have on page 10 in the second sentence of Section 11 to read Members of the public attending the meeting may comment during the specified time or by sign request on a specific topic as allowed by the Facilitator or Chairwoman at each Advisory Committee meeting.
12. **Working with the Media.** No additions or deletions.
13. **Schedule and Duration.** The regular meetings should always be scheduled in Gillette. Time and date of the next meeting will be set at the end of each meeting.
14. **Amendments to the Charter.** The wording shall be “Changes to the charter can be made at any meeting of the Advisory Committee by 2/3 majority in attendance. “

Once this Charter has been revised the committee will sign at their next meeting and this will be the guiding document on how the committee operates.

**State Wildlife Trust** – There is a provision in one of the wildlife trust bills for an easement for public access in Fortification Creek. Commissioner Novotny does not know who the landowner is. Commissioner Novotny recommended that the committee’s first set of speakers be the Wildlife Trust Office and the Office of State Lands. The session with the decision on the bill for this easement will end on March 3<sup>rd</sup>.

Commissioner Novotny reminded the Advisory Committee about the meeting in Lander on March 23<sup>rd</sup>. Chairwoman Little will be attending the meeting but is not sure she will be able to get to the meeting in time to present. Bryna Long said that she plans on going and would be glad to present at the meeting. Commissioner Bell has plans to attend the meeting.

The Advisory Committee's March Agenda will include:

- Sign the WPLI Fortification Creek Charter
- State Lands Office--Wildlife Trust Fund
- Wyoming Game and Fish (Elk),
- Rocky Mountain Elk Foundation

Next meeting is scheduled for Monday, March 13 at 6:00 p.m. at the Campbell County Courthouse in the Commissioners Chambers.