

MINUTES OF THE BOARD OF SHERIDAN COUNTY COMMISSIONERS

The Board met at 9:00 a.m., May 19, 2009, in regular session at the Sheridan County Courthouse, Sheridan, Wyoming. Chairman pro tem Steve Maier called the meeting to order and led everyone in the Pledge of Allegiance. Members present were Commissioners Terry Cram, Steve Maier, Mike Nickel, Tom Ringley. Chairman Robert L. Rolston arrived late at 9:12 a.m. due to his attendance at another meeting.

AGENDA

The Agenda was approved as published, except item #10 was moved to the item #6 position.

ANNOUNCEMENTS

Commissioner Maier announced that Red Grade Road was being bladed for an application of magnesium chloride. The road will be open as of 2:00 p.m., May 22, 2009.

He said two positions on the Planning and Zoning Commission will be vacant June 30 and one position on the Sheridan County Fair Association board is now vacant. Persons interested in serving should contact the Commissioners office or go to the County's website at www.sheridancounty.com and click on Boards to find a board application form.

The County's garage sale is June 5, commencing at 7:00 a.m. at the old KFC property on North Main Street.

Commissioner Cram said that the State flag would be lowered to half-staff by consent of the Governor in honor of Bill Johnson, a past Sheridan County Sheriff. Mr. Johnson passed away May 15.

PUBLIC COMMENTS

There were no public comments.

CONSENT AGENDA

The Consent Agenda was approved as read and the Chairman was authorized to sign documents as required: (a) Minutes of regular session on May 5, 2009; (b) Dishonesty Bond for five board members of the Clearmont Fire District; (c) Affirm approval of agreement with Bronco Energy Service for repair of slide damage to Soldier Creek Road; (d) Affirm approval of contract for retrofit of plumbing and service line, Community Health Building; (e) Receipt of April 2009 report, Rocky Mountain Ambulance LLC.

TIETJEN QUARRY PERMIT; Q-02-010

Land Development Coordinator Robin DeBolt advised that the Tietjen quarry permit had expired. Due to health reasons of the owner, the Board amended the expiration date of the Tietjen quarry permit from April 2, 2009 to October 2, 2009 to allow for a renewal application to be submitted. Ms. DeBolt said this pit has been operating as a County pit and will need to be permitted as a commercial pit. Approval was given with the condition that the applicant shall submit a complete quarry application to the Sheridan County Planning Office by May 29, 2009. Failure to do so will void the quarry permit extension and all quarry operations at the site shall cease until action can be taken on a new quarry permit application for the site.

COUNTY AIRPORT

Manager John Stopka reported that five bids were received for expansion of the terminal parking area. He said AZ Asphalt & Construction presented the low bid for this work funded through a grant from the State Aeronautics Division, in the amount of \$117,031. He said amended grant funding is expected for an additional \$10,299 which shall completely fund the project. The Board awarded the bid to AZ Asphalt and Construction of Sheridan and authorized the Chairman to sign the Notice of Award and to execute the contract documents.

COUNTY SHERIFF'S OFFICE

The Board approved Resolution 09-05-024, authorizing the adoption of the Joint Law Enforcement Agreement between the Town of Ranchester and the Sheridan County Sheriff's Office, the chairman signing on behalf of the Board.

RESOLUTION 09-05-024
JOINT LAW ENFORCEMENT AGREEMENT
TOWN OF RANCHESTER AND
SHERIDAN COUNTY SHERIFF'S OFFICE

WHEREAS, the Sheridan County Sheriff and the Town of Ranchester wish to create an agreement identifying and coordinating their respective duties and obligations relative to the enforcement of state statutes and town ordinances; and

WHEREAS, both parties believe that such an agreement will thereby provide greater services and safety to the citizens within the Town of Ranchester.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for Sheridan County, Wyoming do hereby agree that the Joint Law Enforcement Agreement between the Town of Ranchester and the Sheridan County Sheriff's Office should be adopted, pursuant to all terms specified therein.

DONE this 19th day of May, 2009.

BOARD OF COUNTY COMMISSIONERS

Sheridan County, Wyoming
/s/Robert L. Rolston, Chairman

Attest:

/s/Audrey Koltiska, County Clerk

STATE OF WYOMING)
)
COUNTY OF SHERIDAN)

On this 19th day of May, 2009, before me personally appeared Robert L. Rolston, being first duly sworn, did say that he is the Chairman of the Board of County Commissioners, for Sheridan County, Wyoming and that this instrument was signed and sealed on behalf of the said County by authority of said Board and he acknowledged said instrument to be the free act and deed of said Board.

WITNESS my hand and official seal.

/s/Carla I. Raymond, Notary Public

My Commission expires April 22, 2011

STORY FIRE DISTRICT

The Board tabled consideration of three easements relative to the purchase agreement of the old Story fire hall.

POWDER HORN RANCH MINOR NO. 20; S-09-003M

Ms. DeBolt said this request would reconfigure lot 12 of block C of the Powder Horn Ranch PUD adding a tract of land adjoining it to consist of 0.64 acres. She said this one lot would have central water and sewer. The Planning and Zoning Commission voted to recommend this proposal. The Board approved the Powder Horn Ranch Minor No. 20 Subdivision, replatting lot 12, block C, of the Powder Horn Ranch, Phase 8 and a tract of land within the Powder Horn PUD, as described, to create one lot, with the following conditions:

1. The following changes shall be made on the mylar prior to the mylar being submitted to the County Planning Office for review and signatures: Under notes, #2 shall read “NO PUBLIC MAINTENANCE OF STREETS OR ROADS. ALL STREETS, ROADS AND PATHWAYS SHALL BE PRIVATELY MAINTAINED.”
2. The following changes shall be made on the mylar prior to the mylar being submitted to the County Planning Office for review and signatures: Under the Certificate of Dedication, the third paragraph shall read “As appears on this plat, is with free consent, and in accordance with the desires of the undersigned owners and proprietors; containing 0.64 acres more or less; have by these presents laid out and surveyed as the Powder Horn Ranch Minor No. 20 Subdivision, and do reserve perpetual easements for the installation and maintenance of roadways, utilities and for irrigation and drainage facilities as are laid out and designated on this plat hereby releasing and waiving all homestead rights.”
3. The 40 conditions of the Powder Horn Ranch PUD Master Plan are applied to this subdivision.

TWIN EAGLE AT THE POWDER HORN RANCH NO. 1 SUBDIVISION; S-09-005M

Ms. DeBolt said this is a request to reconfigure lots 3 and 4 of the Powder Horn Ranch Minor No. 22 subdivision to create four lots, accessed off Canyon View Drive and Clubhouse Drive. The applicant, Dennis Buscher dba Buscher Construction Ltd, will be building duplexes I move to approve the Twin Eagle at the Powder Horn Ranch No. 1 Subdivision, creating a four lot subdivision with the following conditions:

1. The following changes shall be made on the mylar prior to the mylar being submitted to the County Planning Office for review and signatures: Under notes, #2 shall read “NO PUBLIC MAINTENANCE OF STREETS OR ROADS. ALL STREETS, ROADS AND PATHWAYS SHALL BE PRIVATELY MAINTAINED.”
2. The following changes shall be made on the mylar prior to the mylar being submitted to the County Planning Office for review and signatures: Under the Certificate of Dedication, the third paragraph shall read “As appears on this plat, is with free consent, and in accordance with the desires of the undersigned owners and proprietors; containing 0.64 acres more or less; have by these presents laid out and surveyed as Twin Eagle at Powder Horn Ranch, Number One, and do reserve perpetual easements for the

installation and maintenance of roadways, utilities and for irrigation and drainage facilities as are laid out and designated on this plat hereby releasing and waiving all homestead rights.”

3. The 40 conditions of the Powder Horn Ranch PUD Master Plan are applied to this subdivision.

SOLDIER CREEK AND KEYSTONE ROADS

County Engineer Ken Muller recommended that consideration to award the bid for improvements to Soldier Creek and Keystone Roads be tabled. The Board set this item on the table awaiting confirmation of bidder qualifications.

BEAVER CREEK ROAD

The Board tabled this item for the same reason as the above item.

ACME BRIDGE

Mr. Muller advised that three bids had been received to remove the Acme bridge from its present location. Two bids were received to remove the bridge at a cost to the County. The third bid was to purchase and remove the bridge. Due to the considerable savings, the Board accepted the proposal submitted by Zowada Recycling and Steel for the removal of the Acme steel truss bridge from its current storage location, at the purchase price of \$2,894.60.

FIRE MITIGATION PLAN

Administrative Director Renee Obermueller advised that monies remain from a Homeland Security grant which may be applied to develop a plan to mitigate hazardous conditions. The Board approved an agreement for services with Smokey Ridge Fire Services for the purpose of creating a Sheridan County Fire Mitigation Plan, term running to September 1, 2009, costs to be paid at \$35/hour plus mileage.

COURTHOUSE RENOVATION

The Board accepted the Certificate of Substantial Completion from Top Office Products, Inc., dated April 17, 2009, for the second floor furnishing of the County Courthouse.

DAYTON-OHLMAN ROAD

Commissioner Maier opened the public hearing at 9:30 a.m. to consider the viewer's report in the matter of vacating a portion of the Dayton-Ohlman Road, running from Highway 343 to Smith Creek to the north. Viewer Ken Muller reported that he had viewed the road and files in response to the request by Tom and Rae Ann Morss to vacate, and he recommended that the road not be vacated. He said concerns had been expressed by the local fire department, School District and Town of Dayton, all noting that the road is important for public access. He said the road has been placed on the maintenance priority list for Road and Bridge department. There was no other public comment. The public hearing was closed at 9:36 a.m. The Board accepted the Viewer's Report. Upon a motion to vacate the requested portion of the Dayton-Ohlman Road, the board voted in the negative denying the vacation.

ALLEY VACATION PROPOSED

Commissioner Maier opened the public hearing at 9:37 a.m. to consider the viewer's report in the matter of vacating the alley in block 17 of Downers Addition. Viewer Ken Muller

reported that this request by Anita Joy Cooper would vacate an unconstructed alley that has buried utilities. He said the Downer Neighborhood Improvement and Service District and the City of Sheridan voiced objections to a vacation, which he recommended not be approved. There was no other public comment. The hearing was closed at 9:38 a.m. The Board accepted the Viewer's Report. Upon a motion to vacate the alley in block 17, the board voted in the negative denying the vacation.

COUNTY RECORDS

Commissioner Ringley explained that Sheridan County has accumulated records from the 1880s which are a valuable historical record of the county. He said the Commissioners are concerned that they be preserved and correctly archived. To this end, the Board asked the Wyoming Room staff at the Fulmer Public Library to review the boxes of records to see what is historically relevant. As an initial measure, the Board approved gifting eight ledgers to the Wyoming room with the stipulation that the ledgers be returned to Sheridan County if circumstances should ever dictate their disposal and/or removal from the Wyoming Room's inventory. These ledgers date from the 1880s and many have the signatures of the founding pioneers.

Commissioner Cram said the County would hire an intern to assist with indexing the early files of the county.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 9:42 a.m.

BOARD OF COUNTY COMMISSIONERS

Attest:

Robert L. Rolston, Chairman

Audrey Koltiska, County Clerk