

## MINUTES OF THE BOARD OF SHERIDAN COUNTY COMMISSIONERS

The Board met at 9:00 a.m., June 2, 2009, in regular session at the Sheridan County Courthouse, Sheridan, Wyoming. Chairman Rolston 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 and Robert L. Rolston.

### AGENDA

The Board amended the published agenda to add to the Consent Agenda an Agreement between the Dayton Volunteer Rescue Unit and Sheridan County; and removed consideration of item #11, field order to contract with Vista West, in conjunction with the West Brundage Lane Project to install piping for drainage area at end of Airfield Lane.

### ANNOUNCEMENTS

Emergency Management Coordinator Dave Coleman gave a weather update. He said the Sno-tel sites in the Bighorns indicate low to zero moisture measurements. We are presently 17% of normal with May being the second driest month in history. He said even though the rivers are high carrying off snow melt, there is no risk of flooding.

Chairman Rolston said the County was commencing a weekly column in the newspaper called "The County Corner" giving the public news about upcoming events and road work. The Commissioners hope this is well received and helpful during the summer construction season.

### PUBLIC COMMENTS

There were no public comments.

### CONSENT AGENDA

The Board approved the Consent Agenda as read and authorized the Chairman to sign documents as required: (a) Minutes of a regular session on May 19, 2009; (b) Minutes of a special session on May 26, 2009; (c) Purchase Agreement with Old Fire Hall, LLC for purchase of the old Story fire hall at a price of \$80,000; (d) Partial Release of Mortgage, from Steven J. Miller, for Lot 9, Block 3, Woodland Park Subdivision, Phase One, payment of \$10,700 received, Chairman authorized to sign Release; (e) Partial Release of Mortgage, from Woodland Park LLC, for Lot 3, Block 2, Woodland Park Subdivision, Phase One, payment of \$10,800 received, Chairman authorized to sign Release; (f) Assignment of Affordable Housing Agreement, by and between Woodland Park LLC and Stephen J. Miller dba SMC, LLC, transferring interest in Lot 3, Block 2, Woodland Park Subdivision, Phase One, Chairman authorized to sign Consent; (g) Developer Mortgage Lien by SMC, LLC, 3442 Big Horn Avenue, Sheridan WY, in the amount of \$21,400, for Lot 3, Block 2, Woodland Park Subdivision, Phase One; (h) Sheridan County Master License Agreement M09-22 with Canon Ditch Company, setting out obligations to cross County roads; (i) Sheridan County License Agreement 0909LA, to Canon Ditch Company to cross Tongue Canyon Road CR 92 to install 6" PVC irrigation pipeline; (j) Affirm Chairman's execution of MOU with Department of Revenue to provide hardware for Assessor's office CAMA (Computer Assisted Mass Appraisal) system; (k) Agreement between Dayton Volunteer Rescue Unit and Sheridan County to provide

Emergency Services, term ongoing until terminated as provided therein; (l) County Airport vouchers for May; (m) General County vouchers for May.

(INSERT VOUCHERS)

#### CU-09-002; UCROSS LAND COMPANY EMPLOYEE CAMPER SITES CUP

Chairman Rolston opened the public hearing at 9:06 a.m. to receive comment on this request for a permit to provide for employee housing of the Ucross Land Company. Land Development Coordinator Robin DeBolt said seven RV/camp sites would be installed and maintained for employee use on one-third of an acre of the 362 acres at the site, addressed as 3108 U.S. Highway 14-16. She said access would be by the existing entrance to the ranch house with a gravel road to the sites. The spots would use an existing well and septic. Clint Langer, Davis and Cannon, PC, representing the applicant, said he was available for comment. The hearing was closed at 9:10 a.m. In response to a question, Mr. Langer said retired couples were expected to utilize these sites since that was the employee market they were seeking. The Board approved the Ucross Land Company Employee Camper Sites CUP, permitting the placement of 7 camper/RV sites at the specified location with the following conditions:

1. Applicant shall apply for and receive a septic permit from DEQ for the proposed septic and furnish a copy of the permit to the County Planning Office prior to allowing employees to park their Campers/RVs at the camp sites.
2. Camper/RV sites shall only be permitted to be occupied by employees of either the Ucross Land Company or The Ranch at Ucross.
3. Shielded lighting shall be used for any exterior lighting, with no blinking or strobe lighting allowed to prevent glare to passing motorists.

Chairman Rolston said Findings of Fact, Conclusion of Law would be mailed to the applicant supporting the Board's decision.

#### R-09-003; DAYTON SOUTHWEST REZONE

Chairman Rolston opened the public hearing at 9:14 a.m. to receive comment on this proposal to rezone approximately 5,682 acres southwest of the Town of Dayton from Urban Residential to Agricultural. County Planner Mark Reid said this proposal was identified as a top priority in the adopted County Comprehensive Plan. He also commented that the Board may want to release its freeze on the subdivision of land within this area, applied April 9, 2009.

Ms. DeBolt reported that the rezone proposal was initiated by resolution of the Board on March 17, 2009, pursuant to Section 27.C of the Sheridan County Zoning Resolution. The Planning and Zoning Commission recommended approval. She stated that legal, nonconforming lots within the area which were created prior to the approval date of this rezone would be permitted to apply for zoning permits.

Frances Morris spoke about their inability to file their parcel for division into two lots, which is a significant hardship to her and her husband's investment. She asked that the Board consider an exemption under Section 1.4 of the Zoning Resolution. Lee Major spoke in support of the rezone saying it is in the best interest of all people and he is concerned for future well water. Bill Bensel spoke in support saying he did not want haphazard development. David

Perfetti had questions regarding tax relief by returning this area to Agricultural zoning. In response, County Assessor Paul Fall stated that the 2003 legislature mandated that persons residing in subdivisions no longer were to be taxed as agriculture unless they gross at least \$500 through agricultural production. He said he is awaiting an Attorney General opinion on House Bills 9 and 10 which reinstated 35 acres for a single tract to be taxed as agricultural. The hearing was closed at 9:37 a.m. The Board approved the Dayton Southwest Rezone from Urban Residential to Agricultural. The Board also voted to discontinue the freeze placed on these approximate 5,682 acres situated southwest of the town of Dayton.

#### V.O. GOLD PROPERTIES

The Board acknowledged a petition being filed which requests reconsideration and rehearing in the matter of the application for approval of a final plat and subdivision application by V.O. Gold Properties, LLC. This subdivision application had been denied by the Board on April 21, 2009. The Board's counsel advised that the Commissioners could determine what action it wished to take regarding the petition to grant a rehearing. No action was taken at this time.

#### VOLUNTEERS OF AMERICA

Grants Administrator Mike Mackey advised that the VOA has been awarded a grant to construct its Milestones Youth Home, which the County sponsored. As a measure to protect Sheridan County from any default by VOA, as the County is ultimately responsible for grant dollars, the Board approved a sub-grantee agreement with the Volunteers of America relative to the awarded Community Development Block Grant from the Wyoming Community Development Authority.

Relative to the above agreement, the Board accepted a mortgage lien on the VOA property, as described therein, which would assist in any enforcement of the requirements of the grant; and authorized the Chairman to execute and file the document with the County Clerk.

#### HISTORIC PRESERVATION GRANT

Mr. Mackey reported that the grant number assigned to this approved grant award for the "Living Upstairs in Wyoming" conference was changed by the federal grantor and required approval of this change. The Board authorized the Chairman to sign Amendment No. 1 to the contract with the Historic Preservation Office.

#### DRAINAGE PROJECT BY AIRPORT

Public Works Director Rod Liesinger advised that a historic drainage problem exists in the Airfield Lane vicinity, depositing water near the back of homes on Papago Drive. He said existing piping is undersized for the amount of water flow. The Board approved an amendment to the contract with Vista West to design and construct a drainage area at the end of Airfield Lane, in the amount of \$13,875, to mitigate this problem.

#### CLEARMONT FIRE DISTRICT

Chairman Rolston advised that there are certain parcels in the County not enrolled for protection in a fire district and that a petition process has been developed for this purpose. The Board addressed the first petition for incorporation into the Clearmont Fire District from

Kenneth L. McHenry, 39 Wildcat Road. The petition having been filed in proper form, the Board concurred with the action taken by the Clearmont Fire District on the application and authorized the Chairman to execute the fire district enlargement document.

#### SEWER PERMIT AGREEMENT

Toni Becker, resident at 750 Absaraka, reported that her septic system was not installed to code and required replacement. She was advised upon her application for a septic permit that her property was within 400 feet of a City sewer main which requires her to connect to that main, and therefore her application through the County was denied. The City approved Ms. Becker's application for a hardship sewer permit agreement as the connection cost was estimated at \$89,000. County Engineer Ken Muller commented that under the Intergovernmental Agreement for Sheridan Wastewater Treatment Facilities, the County approves after the City has approved the hardship application. The Board approved the Hardship Sewer permit Agreement so Ms. Becker could upgrade her septic system.

#### ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 9:59 a.m.

BOARD OF COUNTY COMMISSIONERS  
Sheridan County, Wyoming

Attest:

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Robert L. Rolston, Chairman

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Audrey Koltiska, County Clerk