

## MINUTES OF THE BOARD OF SHERIDAN COUNTY COMMISSIONERS

The Board met at 9:00 a.m., July 7, 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, Tom Ringley and Robert L. Rolston. Commissioner Mike Nickel was absent.

### CONSENT AGENDA

The Board approved the addition of two items, identified as (n) and (o), to the Consent Agenda. There being no public comment on the Consent Agenda, it was approved as amended and the Chairman was authorized to sign documents as required. (a) Minutes of a regular session, June 16, 2009; (b) Minutes of a special session, June 19, 2009; (c) Sheridan County Master License Agreement M09-03 with 5C Ranch, Leiter WY; (d) Sheridan County License Agreement 0910LA to cross the Arvada Davis Crossing (CR 70) to install a buried electric line; (e) Partial Release of Mortgage, Lot 7, Block 4, Woodland Park Subdivision—Phase One, with payment of \$21,600 received; (f) Consent to Assignment, of the Assignment of Affordable Housing Agreement between Woodland Park, LLC and Schoeny, Inc. pertaining to Lot 7, Block 4, Woodland Park Subdivision, given by Schoeny, Inc. by Developer Mortgage Lien; (g) Partial Release of Mortgage, Lot 9, Block 1, Poplar Grove PUD, Phase One, with payment of \$21,400 received; (h) Quitclaim deed to Barney Brothers Land & Livestock, Inc. releasing Sheridan County's interest in one-half of the Old Wolf Creek Road alignment section previously vacated; (i) Official Bond and Oath for Treasurer Susan McLean of Town of Dayton, \$70,000 coverage, term to July 1, 2010; (j) Official Bond and Oath for Assistant Clerk Linda Lou Lofgren of Town of Dayton, \$70,000 coverage, term to August 1, 2010; (k) Chairman's letter given to US Environmental Protection Agency in support of Resource Conservation Challenge grant for City of Sheridan recycling program; (l) County Airport vouchers; (m) General County vouchers; (n) Partial Release of Mortgage of Lot 2, Block 2, Woodland Park Subdivision—Phase One; with payment of \$10,800 received; (o) Consent to Assignment, of the Assignment of Affordable Housing Agreement between Woodland Park, LLC and Brandon Hendrickson, pertaining to Lot 2, Block 2, Woodland Park Subdivision, given by Brandon Hendrickson by Developer Mortgage Lien.

### AGENDA

The published agenda was approved as amended.

### PUBLIC COMMENTS

There were no public comments.

### ANNOUNCEMENTS

Chairman Rolston announced that there are two vacancies on the Sheridan County Library System board which are three year terms. There is also a vacancy on the Northern Wyoming Mental Health Center board of trustees to fill the unexpired term of Ed Neeriemer to June 30, 2012. Interested persons should submit a resume to Director Lynn Whittington at the Center whose address is 909 Long Drive, Suite C, Sheridan WY.

## V. O. GOLD PROPERTIES

Deputy County Attorney Lynn Smith reported that a Petition for Reconsideration and Rehearing was filed with the Commission and a Petition for Review was filed with District Court regarding the Commission's denial of the V.O. Gold Properties subdivision permit request. Ms. Smith said that the County's rules governing division of land does not provide a written process by which the Commission may rehear a matter once denied; suggesting that the matter should go forward in District Court. Upon advice of counsel, the Board denied the V.O. Gold Properties' petition for a rehearing of its application for a subdivision.

## POWDER HORN RANCH MINOR #23 SUBDIVISION; RP-09-004; Canyon View Drive

Land Development Coordinator Robin DeBolt advised that this request by Edward and Louise Ackerman would create one lot from the replatting of lots 2 and 3 of block D, and would not increase density. There is an existing home on lot 2 which would not meet residential setbacks of the PUD if the request was approved; however, the Homeowners Association has submitted a letter advising of its agreement to a variance of the PUD covenants. The County does not govern homeowner association covenants but the Deputy County Attorney said the Board could take such correspondence into consideration. The Board approved the Powder Horn Ranch Minor No. 23, creating a one lot subdivision and applied the 40 conditions of the Powder Horn Ranch PUD Master Plan.

## HOLT CAMP CUP; CU-09-003; 1162 Pass Creek Road

Chairman Rolston opened the public hearing at 9:16 a.m. to receive comment on this request to expand a CUP held by Jessica Holt. Ms. DeBolt said the request would allow full operation of an overnight youth and adult facility, known as the Bauen Camp, offering group camps, retreats, and conferences. No one else spoke to this issue. The public hearing was closed at 9:19 a.m.

The Board approved the Holt Camp CUP with the following conditions:

- (1) The conditions of Item 01-014, Holt Conditional Use Permit, are herewith void and replaced with the conditions of CU-09-003, Holt Camp CUP.
- (2) The applicant shall apply for and receive a building permit for all new structures for the facility; fees and inspections will be required.
- (3) The applicant shall apply for and receive an access permit from the Sheridan County Engineering Department, and the applicant will submit a copy of the approved permit to the County Planning Office by July 31, 2009.
- (4) No parking for the Holt Camp facility shall be permitted on Pass Creek Road (CR 144).
- (5) Expansion of the facility to include a campground will require a new conditional use permit prior to commencing such use.
- (6) Shielded lighting shall be used for any exterior lighting to prevent glare to passing motorists and preserve the dark skies.
- (7) Any change in ownership of the property shall require notification to the Sheridan County Planning Office by the applicant.

## BURLINGTON NORTHERN & SANTA FE RAILWAY COMPANY CUP

Chairman Rolston opened the public hearing at 9:21 a.m. to receive comment on this request by the Railway for an extension of time to process a renewal of conditional use permit 03-014 which allows a cell tower on state land. The permit has expired and the suggested extension time should suffice to process the renewal. No one else spoke to this issue and the hearing was closed at 9:23 a.m. The Board approved a 10-month extension of the expiration date for the Burlington Northern and Santa Fe Railway Company CUP, running retroactive from January 1, 2009 to October 31, 2009, with the condition that the applicant shall submit a complete conditional use permit application to the Sheridan County Planning Office by July 24, 2009. Failure to do so will void the 10-month extension and the conditional use permit will be turned over to code enforcement.

## COUNTY AUDIT

Administrative Director Renee Obermueller explained that the presented engagement letter defines the scope of work for this audit, which may require additional work due to a change to a modified approach regarding roads and bridges. The Board authorized the Chairman to sign the letter of engagement with Porter, Muirhead, Cornia & Howard for auditing services for fiscal year ending June 30, 2009, at \$65,000 plus any additional services paid at time and materials.

## LAW ENFORCEMENT CENTER

Upon a recommendation by Ms. Obermueller, the Board allowed consideration of the Center's agreement to remain on the Table.

## EXTENSION OFFICE

The Board authorized the Chairman to sign the Extended Professional Service agreement with the University of Wyoming for an Assistant 4-H Extension Educator's salary and benefits, in the amount of \$19,572, for a term to June 30, 2010.

## VOLUNTEERS OF AMERICA

Grants Administrator Mike Mackey advised that VOA has been approved to receive \$250,000 in grant funding for construction of its Milestones Youth Home. The Board authorized the Chairman to sign the grant agreement with the Wyoming Community Development Authority, upon the review and approval of the Deputy County Attorney.

## RECLAIMED ASPHALT PROGRAM

Public Works Director Rod Liesinger commented that the Legislature appropriated funds earmarked to provide counties the opportunity to acquire reclaimed asphalt pavement from Wyoming Department of Transportation projects. WYDOT has two stockpiles of reclaimed material from its Interstate 90 project. The Board authorized the Chairman to execute the Memorandum of Understanding with WYDOT for the purpose of utilizing 2,843 cubic yards of reclaimed asphalt pavement for use on County roads.

## ROAD MATERIAL

Mr. Liesinger reported that a change order to the contract with McMurry Ready Mix Company would allow additional crushed road base material for the Beaver Creek Road grant project and for overruns of final quantities for the contract. The material comes from the Kusel

Pit 3 and J.C. Ranch Pit. The Board authorized change order 1 to the contract, in the increased amount of \$209,706.43.

EMPLOYEE HEALTH PLAN

Ms. Obermueller reported that the County employees have been requested to contribute toward their employee health plan coverage. Employees have received coverage as a benefit of employment, and have only been charged for their spouse. Comparisons with other local plans have been reviewed, and, due to rising costs, the employees' contributions should account for 12% of the premium amount or a savings of \$167,000.

Ms. Obermueller said significant improvements have been made to the wellness program, and the Commissioners said the employees have been briefed and they have stepped up and accepted the reality of the budget. The Board approved Resolution 09-07-026, authorizing an employee contribution requirement for enrollment in the Sheridan County Employee Health Care Plan.

RESOLUTION 09-07-026  
SHERIDAN COUNTY EMPLOYEE HEALTH CARE COVERAGE

WHEREAS, Sheridan County provides a health care insurance plan to employees; and

WHEREAS, due to increased medical costs, on May 3, 2006, the Board of County Commissioners required an employee to contribute \$100 a month for a spouse to be covered under the county health care plan; and

WHEREAS, due to increased medical costs, on June 19, 2007, the Board of County Commissioners required an employee to contribute \$125 a month for a spouse to be covered under the County health care plan; and

WHEREAS, the annual report from the health plan administrator indicates medical costs continue to rise.

NOW, THEREFORE, BE IT RESOLVED that an employee shall be required to contribute the following amounts for coverage under the County health care plan, in addition to that paid on the employee's behalf by Sheridan County:

Employee	\$ 51.35
Employee/Child(ren)	\$ 93.46
Employee/Spouse	\$114.05
Employee/Family	\$156.29

BE IT FURTHER RESOLVED that this resolution supersedes all previous resolutions in conflict herewith.

BE IT FURTHER RESOLVED that this resolution shall become effective July 1, 2009.

ADOPTED this seventh day of July, 2007.

BOARD OF COUNTY COMMISSIONERS

Sheridan County, Wyoming

Attest:

/s/Robert L. Rolston, Chairman

/s/Audrey Koltiska, County Clerk

STATE OF WYOMING )

: ss

COUNTY OF SHERIDAN )

On this seventh day of July, 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

NORTHERN WYOMING MENTAL HEALTH CENTER

The Board reappointed Les Engelter to a four-year term, expiring June 30, 2013, on the Northern Wyoming Mental Health Center board of directors.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 9:45 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