

## MINUTES OF THE BOARD OF SHERIDAN COUNTY COMMISSIONERS

The Board met at 9:00 a.m., October 20, 2009, in regular session at the Sheridan County Courthouse, Sheridan, Wyoming. Chairman Robert 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 Bob Rolston.

### CONSENT AGENDA

- a. Minutes of regular session, October 6, 2009;
- b. Affirm Public Works Director execution of agreement with Whitten & Borges, PC, to evaluate Fairgrounds Exhibit Hall ceiling assessment; billed hourly, rate not to exceed \$2,000;
- c. Execution of quitclaim deeds: portion of Walnut Avenue and Block 55 alley, Down Addition;
- d. Execution of Memorandum of Understandings for Mass Vaccination sites with Sheridan County Fair Association; Sheridan College; Sheridan County School Districts #1, #2 and #3.
- e. Affirm County Sheriff's execution of Law Enforcement Terrorism Prevention Activities grant, in the amount of \$18,955.86, term through April 13, 2012;
- f. Acknowledge filing of petition to establish a private road by James and Katy Swaney;
- g. (Removed: Concur with Waiver and Agreement for distribution of approved One-Cent Specific Purpose (Capital Facilities) Tax.)

The Board removed item "g" from the Consent Agenda. There being no public comment on the Consent Agenda as read, the Board approved the Consent Agenda as amended and authorized the Chairman to sign documents as required.

### AGENDA

The Board approved the agenda as amended.

### ANNOUNCEMENTS

Commissioners Rolston and Cram announced that Rotary International and the local chapter is participating in World Polio Week to support and bring attention to the initiative to eradicate polio world-wide, which is this week. Rotary's chief role is fundraising, advocacy and mobilizing volunteers. Mr. Rolston said the Commissioners applaud Rotary's involvement in this important effort.

Commissioner Rolston reminded everyone that the partial fire restrictions that have been in effect during the summer were lifted on October 15. Open burning is now allowed, however, the County's volunteer fire departments would appreciate a call to the dispatch center at 672-2413 before burning. Small burn barrel fires may be excepted. For safety, the Board asked that Red Flag Warning Days be observed. These are set when expecting high winds. (Go to <http://www.weather.gov> and click on map for local forecast which would highlight Sheridan County in pink if in Red Flag Warning.)

Commissioner Rolston advised that this weekend, October 24-25 is the last Free

Landfill Weekend of the season. The landfill is open both days from 7:30 a.m. to 5:30 p.m.

#### PUBLIC COMMENTS

There were no comments offered on matters not on the agenda.

#### CAPITAL FACILITIES TAX

Administrative Director Renee Obermueller explained the status of the tax distribution plan. She said the County and municipalities must advise the County Treasurer of the distribution agreement so that he may properly distribute these funds according to the agreed percentages. She said the smaller communities in the 2003 tax allotment received their share of funding before the City and County, so they have not received funding of this type since 2004. These communities now have small projects that would benefit from early distribution to them again this tax allotment. She and the Board commented that \$900,000 is projected to be a two months collection and that the County has no objection to this being released to Dayton, Clearmont and Ranchester in the spirit of cooperation.

#### COUNTY AIRPORT

Airport Manager John Stopka advised that RoCo, Inc. will lease the old Kennon hangar to conduct and provide services for an aircraft airframe and power plant repair station and a future self-serve aviation fuel sales station. The Board approved the Specialized Aviation Service Operator Use Agreement between the Sheridan County Airport and RoCo, Inc. pursuant to the stipulated conditions, authorizing the Chairman and Airport Manager to execute the agreement.

#### CLEARMONT FIRE DISTRICT

County Fire Warden Bill Biastoch said petitions continue to be received to join rural fire protection districts. The petitions were reviewed and accepted by the Clearmont Fire District. The Board voted to concur, as alleged in the petitions filed with the Board of County Commissioners, that an election not be held for the following enlargement petitions to the Clearmont Rural Fire Protection District as all landowners and voters, if any, within the new area, and the Board of Directors of the District agree to the inclusion of the new area within the District and that no additional directors are needed.

Parcel R8187 owned by Nels A. Nelson III;

Parcels R15681 and R15682 owned by Kathryn Brown and Christine Carter;

Parcel R5464 owned by Louis N. and Linda Ludington;

Parcel R4251 owned by Robert E. Prusak;

Parcel R8283 owned by Jock G. Hutton;

Parcel R15771 owned by Ross Peterson;

Parcel R3083 owned by Edward and Janet Kimutis, trustees;

Parcel R4285 owned by Kyle Sampson;

Parcel R8114 owned by Wayne Lesch;

Parcels R8188 and R8189 owned by Billy Lee Ackerley;

Parcel R16898 owned by Philip and Kathy Ogle;

Parcel R5517 owned by Milan and Kara Schreibeis;

Parcel R15780 owned by Pennaco Energy, Inc;

Parcel R5504 owned by John T. Kobielski;

Parcels R3116, R3097 and R3100 owned by Mary L. Harper Trust;

Parcel R8284 owned by Thomas and Lois Ann Walker;

Parcels R4289 and R18923 owned by J2, Inc.

#### STORY FIRE DISTRICT

The Board voted to concur, as alleged in the petition filed with the Board of County Commissioners, that an election not be held for the following enlargement petition to the Story Rural Fire Protection District as all landowners and voters, if any, within the new area, and the Board of Directors of the District agree to the inclusion of the new area within the District and that no additional directors are needed.

Parcel R23359 owned by Mike and Jill Cross

#### WILDLAND FIRE MITIGATION

Mr. Biastoch pointed out the goals of the Wildland Fire Mitigation Plan, prepared by Smokey Ridge Fire Services. He said the Plan addresses the potential for loss of life, property and resources from such fires. The Plan outlines a process for hazard mitigation, community preparedness and structure protection. He said it requires cooperation from landowners and a source of funding for assistance. The Board officially adopted the presented Sheridan County Wildland Fire Mitigation Plan with the intent to act on its treatment priorities. Mr. Biastoch said the Plan will be distributed to all fire districts with meetings to be scheduled with landowners to educate and to create defensible space around structures.

Ms. Obermueller said that there may be some funding from FEMA through the Office of Homeland Security and with this Plan the county can now apply for these grants. Mr. Biastoch commended those landowners who have already worked to clear brush and trees near their homes.

#### SPEAR G SUBDIVISION

The Board acknowledged a letter of appeal from John and Donna Gregersen, dated October 7, 2009 and as supplemented at the request of the Deputy County Attorney, asking the Board to address the Spear G Subdivision preliminary plat. The Planning and Zoning Commission voted to deny the presented preliminary plat on September 2, 2009. The Board placed the matter for hearing on November 3, 2009.

#### COUNTY COURTHOUSE

The Board adopted the presented Sheridan County Courthouse Emergency Management Plan, prepared August 27, 2009 by Emergency Management Coordinator Dave Coleman, which assists in the preparation for emergencies or disasters affecting the County Courthouse.

## PUBLIC HEALTH

The Board authorized the chairman to execute an agreement with TSP, Inc. for design and construction administration for exterior and fire sprinkler system improvements to the Public Health building, in an amount not to exceed \$45,550.

## NEEDY FAMILIES GRANT

Grants Administrator Mike Mackey reported that the County had requested to receive any additional funding that might be available when submitting its Temporary Assistance for Needy Families/Community Partnership Initiative (TANF/CPI) grant application. The County has now received \$63,000. The Board accepted the award and authorized the Chairman to execute the contract with the Wyoming Department of Family Services for administration of the TANF/CPI grant, pursuant to the stipulated conditions. The Board elected to divide the amount between CASA at \$41,500 and CDSI at \$21,500.

## DRAINAGE CORRECTION

Mr. Mackey said bids were opened for the drainage correction project off Airfield Lane, which would involve grading dirt, installing piping to collect runoff to a small retention pond so that it no longer floods the rear yards of some homes off Airfield Lane. Public Works Director Rod Liesinger noted that the storm sewer tie at West Brundage Lane was undersized, contributing to this backup. County Engineer Ken Muller recognized Craftco Metal Services which granted an access easement to facilitate this project. The Board awarded the bid to Hot Iron, Inc. of Gillette, in the amount of \$49,993.26. The Chairman was authorized to execute the contract upon review of the Deputy County Attorney.

## FLOODPLAIN MAPPING

Mr. Liesinger reported that the preliminary maps from the floodplain study, begun in 2007 for the Goose Valley and Soldier Creek drainage areas, have been received. This is the first time the County will have elevation data for these drainages. The Corps of Engineers funds 50% of this project, with the other 50% apportioned between the City of Sheridan and Sheridan County. Additional work has been required to finish the work at an added cost of \$58,000, which the County has performed in-kind. The Board authorized the Chairman to execute Amendment 2 to the Agreement between the Department of the Army (Corps of Engineers), the City of Sheridan, and Sheridan County to provide for the increase in cost of the study.

## LAND USE DOCUMENTS

The Chairman advised that due to a change in hearing date, resolutions giving notice of intent to amend certain land use document need to be rescinded and new resolutions approved. These documents are scheduled for amendment to delete specific mention of a fee dollar amount and to change the document's name. Fees shall be listed in a separate Land Use Fee Schedule to be adopted.

The Board rescinded Resolution 09-10-141 and approved Resolution 09-10-147 changing the hearing date to amend the Planned Unit Development Resolution from December 1 to December 15, 2009.

**RESOLUTION 09-10-147**  
**RESOLUTION GIVING PUBLIC NOTICE OF SHERIDAN COUNTY’S INTENT TO**  
**AMEND THE “PLANNED UNIT DEVELOPMENT RESOLUTION”**

**WHEREAS**, Wyo. Stat. §§ 18-5-201 to 18-5-208 authorize Sheridan County to promote the public health, safety, morals and general welfare of the county by regulating and restricting the location and use of buildings and structures and the use, condition of use or occupancy of lands for residence, recreation, agriculture, industry, commerce, public use and other purposes in the unincorporated area of the county; and

**WHEREAS**, the current Planned Unit Development Resolution provides for specific fees for Planned Unit Development applications; and

**WHEREAS**, it is the desire of the Board of County Commissioners to adjust these fees; and

**WHEREAS**, the Board of County Commissioners shall establish a land use fee schedule pursuant to Resolution 09-10-138 for all fees administered by the Public Works Department; and

**WHEREAS**, the Board of County Commissioners desires to consider proposed amendments to the Planned Unit Development Resolution that would delete reference to specific fee amounts for applications; and

**WHEREAS**, Resolution 09-10-141 was approved October 6, 2009 giving notice of intent to amend the Planned Unit Development Resolution, which is hereby rescinded due to change in hearing date; and

**WHEREAS**, the purpose of the proposed changes is to amend the Planned Unit Development Resolution at Part III V. by revising the existing text and establishing payment of planned unit development fees pursuant to the land use fee schedule.

**WHEREAS**, the amended document should be entitled “Rules and Regulations Governing Planned Unit Development in Sheridan County, Wyoming.”; and

**WHEREAS, the proposed amendments meet the minimum substantive state statutory requirements; and**

**WHEREAS**, these amendments are set out in Exhibit A, attached hereto.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF SHERIDAN COUNTY, WYOMING**, that notice is hereby given to the public that Sheridan County intends to amend the Planned Unit Development Resolution for the noted purposes. Copies of the proposed amendment may be obtained from the Sheridan County Commissioners’ Office or County Public Works Department, 224 S. Main Street, Sheridan WY; that all interested persons may submit written comments to the Sheridan County Commissioners, 224 S. Main Street, Suite B1, Sheridan WY 82801, no later than 12 Noon on December 9, 2009; that there shall be a public hearing on these proposed amendments on December 15, 2009 at a regular meeting of the Board of County Commissioners commencing at 9:00 a.m. in the Commissioners Board Room, second floor of the County Courthouse, Sheridan WY, and that this notice shall be published twice in the Sheridan Press as soon as practically possible.

**DATED** this 20th day of October, 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 20th day of October, 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

## EXHIBIT A

### Proposed Amendments to the Planned Unit Development Resolution

Title Page and any other reference therein:

~~PLANNED UNIT DEVELOPMENT RESOLUTION, SHERIDAN COUNTY, WYOMING.~~  
**RULES AND REGULATION GOVERNING PLANNED UNIT DEVELOPMENT IN  
SHERIDAN COUNTY, WYOMING**

Part III V. FEES

~~To defray a portion of the expense of processing the PUD application a fee in the amount of \$250.00 shall be paid to the County.~~ All applications shall be accompanied by the applicable fee(s) as set by the Board of County Commissioners. These fees may be revised periodically, by the Board of County Commissioners.

The Board rescinded Resolution 09-10-142 and approved Resolution 09-10-148 changing the hearing date to amend the Mobile Home Park Resolution from December 1 to December 15, 2009.

#### **RESOLUTION 09-10-148 RESOLUTION GIVING PUBLIC NOTICE OF SHERIDAN COUNTY'S INTENT TO AMEND THE "SHERIDAN COUNTY MOBILE HOME PARK RESOLUTION"**

**WHEREAS**, Wyo. Stat. §§ 18-5-201 to 18-5-208 authorize Sheridan County to promote the public health, safety, morals and general welfare of the county by regulating and restricting the location and use of buildings and structures and the use, condition of use or occupancy of lands for residence, recreation, agriculture, industry, commerce, public use and other purposes in the unincorporated area of the county; and

**WHEREAS**, the current Mobile Home Park Resolution provides for specific fees for various Mobile Home Park applications; and

**WHEREAS**, it is the desire of the Board of County Commissioners to adjust these fees; and

**WHEREAS**, Resolution 09-10-142 was approved October 6, 2009 giving notice of intent to amend the Sheridan County Mobile Home Park Resolution, which is hereby rescinded due to change in hearing date; and

**WHEREAS**, the Board of County Commissioners shall establish a land use fee schedule pursuant to Resolution 09-10-138 for all fees administered by the Public Works Department; and

**WHEREAS**, the Board of County Commissioners desires to consider proposed amendments to the Mobile Home Park Resolution that would delete reference to specific fee amounts for applications; and

**WHEREAS**, the purpose of the proposed changes are to amend the Mobile Home Park Resolution, Chapter II, at: 1) Section 1. b. (5) & (6) by revising the existing text and establishing payment of mobile home park permit and fire district fees pursuant to the land use fee schedule; 2) Section 2. b. by revising the existing text and establishing payment of a mobile home park transfer fee pursuant to the land use fee schedule, and 3) Section 2. c. by revising the existing text and establishing payment of an annual mobile home park renewal of license fee pursuant to the land use fee schedule; and

**WHEREAS**, the amended document should be entitled “Rules and Regulations Governing Mobile Home Parks, Sheridan County, Wyoming.”; and

**WHEREAS**, the proposed amendments meet the minimum substantive state authority requirements; and

**WHEREAS**, these amendments are set out in Exhibit A attached hereto.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF SHERIDAN COUNTY, WYOMING**, that notice is hereby given to the public that Sheridan County intends to amend the Mobile Home Park Resolution for the noted purposes. Copies of the proposed amendment may be obtained from the Sheridan County Commissioners’ Office or County Public Works Department, 224 S. Main Street, Sheridan WY; that all interested persons may submit written comments to the Sheridan County Commissioners, 224 S. Main Street, Suite B1, Sheridan WY 82801, no later than 12 Noon on December 9, 2009; that there shall be a public hearing on these proposed amendments on December 15, 2009 at a regular meeting of the Board of County Commissioners commencing at 9:00 a.m. in the Commissioners Board Room, second floor of the County Courthouse, Sheridan WY, and that this notice shall be published twice in the Sheridan Press as soon as practically possible.

**DATED** this 20th day of October, 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    )

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WITNESS my hand and official seal.

/s/Carla I. Raymond, Notary Public

My Commission expires April 22, 2011

**EXHIBIT A**

**Proposed Amendments to the Mobile Home Park Resolution**

Title Page and any other reference therein:

~~SHERIDAN COUNTY MOBILE HOME PARK RESOLUTION.~~  
**RULES AND REGULATIONS GOVERNING MOBILE HOME PARKS, SHERIDAN COUNTY, WYOMING.**

**Chapter II Administration**

Section 1. Permit.

b. (5) ~~All applications for a MHP permit shall be accompanied by a fee of \$10.00.~~ All applications shall be accompanied by the applicable fee(s) as set by the Board of County Commissioners. These fees may be revised periodically, by the Board of County Commissioners.

b. (6) ~~A Fire District fee of \$20 per lot shall be~~ All applications shall be accompanied by the applicable fee(s) as set by the Board of County Commissioners payable to the fire district and into the Fire Districts' Capital Improvement Fund. This fee shall be paid upon final approval of the application. These fees may be revised periodically, by the Board of County Commissioners. Where the Mobile home Park is not located in an established Fire District, the fee shall be paid into the County General Fund.

Section 2. License

b. Any person holding a valid license shall give notice in writing to the Planning Commission ~~with~~ within Fourteen (14) days after having sold, transferred, or otherwise disposed of interest in or control of such MHP. Upon application in writing for transfer of license and fee ~~of \$25,000~~, the license may be transferred if the MHP is in compliance with all applicable provisions of this Resolution. All applications shall be accompanied by the applicable fee(s) as set by the Board of County Commissioners. These fees may be revised periodically, by the Board of County Commissioners.

c. Application for an annual renewal of a license shall be in writing, signed by the applicant, accompanied by a verification of the applicant as to the truth of the application ~~and with a fee of \$25.00 or \$2.00 a lot, whichever is greater;~~. All applications shall be accompanied by the applicable fee(s) as set by the Board of County Commissioners. These fees may be revised periodically, by the Board of County Commissioners. The application for renewal shall also contain: the name and address of the applicant, the location of the MHP and the legal description of the MHP. Any changes in the information submitted since the latest license was issued shall also be included in the renewal application.

The Board rescinded Resolution 09-10-143 and approved Resolution 09-10-149 changing the hearing date to amend the Small Wastewater Facilities and Design Standards from December 1 to December 15, 2009.

**RESOLUTION 09-10-149**  
**RESOLUTION GIVING PUBLIC NOTICE OF SHERIDAN COUNTY'S INTENT TO AMEND THE "SHERIDAN COUNTY REGULATIONS FOR A PERMIT TO CONSTRUCT, INSTALL, OR MODIFY SMALL WASTEWATER FACILITIES AND RELATED DESIGN STANDARDS"**

**WHEREAS**, Wyo. Stat. §§ 35-11-101 through 35-11-1207, specifically 35-11-301 stipulates that no person, except when permit authorized shall: construct, install, modify or operate any small wastewater facility. Wyo. Stat. §§ 35-11-304 stipulates that to the extent requested, authority to enforce and administer W.S 35-11-301 (a) (iii) shall be delegated to qualifying municipalities, water and sewer district or counties; and

**WHEREAS**, the authority to regulate small wastewater facilities has been delegated to Sheridan County; and

**WHEREAS**, it is the desire of the Board of County Commissioners to apply fees toward permitting various septic applications and

**WHEREAS**, the Board of County Commissioners will establish a land use fee schedule pursuant to Resolution 09-10-138 for all fees administered by the Public Works Department; and

**WHEREAS**, the Board of County Commissioners desires to consider proposed amendments to the "Sheridan County Regulations for a Permit to Construct, Install, or Modify

Small Wastewater Facilities and Related Design Standards” that would delete reference to specific fee amounts for the various applications; and

**WHEREAS**, Resolution 09-10-143 was approved October 6, 2009 giving notice of intent to amend the Sheridan County Regulations for a Permit to Construct, Install, or Modify Small Wastewater Facilities and Related Design Standards, which is hereby rescinded due to change in hearing date; and

**WHEREAS**, the proposed amendments meet the minimum substantive state statutory requirements; and

**WHEREAS**, the purpose of the proposed changes is to amend the “Sheridan County Regulations for a Permit to Construct, Install, or Modify Small Wastewater Facilities” at: 1) Section 8 e., by adding text and establishing payment of septic permit fees pursuant to the land use fee schedule; and

**WHEREAS**, the amended document should be entitled “Rules and Regulations Governing Waste Water Facilities, Sheridan County, Wyoming”; and

**WHEREAS**, these proposed amendments are set out in Exhibit A attached hereto.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF SHERIDAN COUNTY, WYOMING**, that notice is hereby given to the public that Sheridan County intends to amend the “Sheridan County Regulations for a Permit to Construct, Install, or Modify Small Wastewater Facilities and Related Design Standards” for the noted purposes. Copies of the proposed amendment may be obtained from the Sheridan County Commissioners’ Office or County Public Works Department, 224 S. Main Street, Sheridan WY; that all interested persons may submit written comments to the Sheridan County Commissioners, 224 S. Main Street, Suite B1, Sheridan WY 82801, no later than 12 Noon on December 9, 2009; that there shall be a public hearing on these proposed amendments on December 15, 2009 at a regular meeting of the Board of County Commissioners commencing at 9:00 a.m. in the Commissioners Board Room, 2nd floor of the County Courthouse, Sheridan WY, and that this notice shall be published twice in the Sheridan Press as soon as practically possible.

**DATED** this 20th day of October, 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 20th day of October, 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

**EXHIBIT A**

**Proposed Amendments to the Sheridan County Regulations for a Permit to Construct, Install, or Modify Small Wastewater Facilities and Related Design Standards**

**Title Page and any other reference therein:**

**~~SHERIDAN COUNTY REGULATIONS FOR A PERMIT TO CONSTRUCT, INSTALL OR MODIFY SMALL WASTEWATER FACILITIES AND RELATED DESIGN STANDARDS~~  
**RULES AND REGULATIONS GOVERNING WASTE WATER FACILITIES, SHERIDAN COUNTY, WYOMING****

**Section 8.** Application Requirements. The following procedures will be followed in applying for a permit:

- e. Fees.** All applications shall be accompanied by the applicable fee as set by the Board of County Commissioners. These fees may be revised periodically by the Board of County Commissioners.

The Board rescinded Resolution 09-10-144 and approved Resolution 09-10-150 changing the hearing date to amend the Flood Hazard Resolution from December 1 to December 15, 2009.

**RESOLUTION 09-10-150**  
**RESOLUTION GIVING PUBLIC NOTICE OF SHERIDAN COUNTY'S INTENT TO AMEND THE "FLOOD HAZARD RESOLUTION"**

**WHEREAS**, Wyo. Stat. §§ 18-5-201 to 18-5-208 authorize Sheridan County to promote the public health, safety, morals and general welfare of the county by regulating and restricting the location and use of buildings and structures and the use, condition of use or occupancy of lands for residence, recreation, agriculture, industry, commerce, public use and other purposes in the unincorporated area of the county; and

**WHEREAS**, it is the desire of the Board of County Commissioners to establish application fees; and

**WHEREAS**, the Board of County Commissioners shall establish a land use fee schedule pursuant to Resolution 09-10-138 for all fees administered by the Public Works Department; and

**WHEREAS**, the Board of County Commissioners desires to consider proposed amendments to the "Flood Hazard Resolution" that would delete reference to specific fee amounts for applications; and

**WHEREAS**, Resolution 09-10-144 was approved October 6, 2009 giving notice of intent to amend the Flood Resolution, which is hereby rescinded due to change in hearing date; and

**WHEREAS**, the purpose of the proposed changes are to amend the Flood Hazard Resolution, Section 7. APPLICATIONS by adding text to establish payment of flood plain permits pursuant to the land use fee schedule; and

**WHEREAS**, the amended document should be entitled "Flood Hazard Standards, Sheridan County, Wyoming"; and

**WHEREAS, the proposed amendments meet the minimum substantive state statutory requirements; and**

**WHEREAS**, these amendments are set out in Exhibit A, attached hereto.

**NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF SHERIDAN COUNTY, WYOMING**, that notice is hereby given to the public that Sheridan County intends to amend the Flood Hazard Resolution for the noted purposes. Copies of the proposed amendment may be obtained from the Sheridan County Commissioners' Office or County Public Works Department, 224 S. Main Street, Sheridan WY; that all interested persons may submit written comments to the Sheridan County Commissioners, 224 S. Main Street, Suite B1, Sheridan WY 82801, no later than 12 Noon on December 9, 2009; that there shall be a public hearing on these proposed amendments on December 15, 2009 at a regular meeting of the

Board of County Commissioners commencing at 9:00 a.m. in the Commissioners Board Room, second floor of the County Courthouse, Sheridan WY, and that this notice shall be published twice in the Sheridan Press as soon as practically possible.

**DATED** this 20th day of October, 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 20th day of October, 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

**EXHIBIT A**

**Proposed Amendments to the Flood Hazard Resolution**

Title Page and any other reference therein:

~~SHERIDAN COUNTY FLOOD HAZARD RESOLUTION~~  
**FLOOD HAZARD STANDARDS, SHERIDAN COUNTY, WYOMING**

**SECTION 7. APPLICATIONS**

To obtain a permit, the applicant shall first file a permit application on a form furnished for that purpose. The form must be completed and submitted to the designated responsible person.

**Fees.** All applications shall be accompanied by the applicable fee as set by the Board of County Commissioners. These fees may be revised periodically by the Board of County Commissioners.

The Board rescinded Resolution 09-10-145 and approved Resolution 09-10-151 changing the hearing date to amend the Building Standards Resolution from December 1 to December 15, 2009.

**RESOLUTION 09-10-151**  
**RESOLUTION GIVING PUBLIC NOTICE OF SHERIDAN COUNTY’S INTENT TO AMEND THE “BUILDING STANDARDS RESOLUTION”**

**WHEREAS**, Wyo. Stat. §§ 18-5-201 to 18-5-207 authorize Sheridan County, in promoting the public health, safety, morals and general welfare of the county, to regulate the use and location, of buildings and structures in unincorporated Sheridan County; and

**WHEREAS**, the current Building Standards Resolution establishes minimum standards for buildings located in Sheridan County; and

**WHEREAS**, the current Building Standards Resolution provides criteria for specific fees for building permit applications and plan reviews; and



**Title Page and any other reference therein:**

~~SHERIDAN COUNTY BUILDING STANDARDS RESOLUTION~~  
~~BUILDING STANDARDS, SHERIDAN COUNTY, WYOMING~~

**Chapter IV - County Amendments**  
**2006 International Residential Code**

B. Section R108.2 is amended to read:

~~A plan review fee shall be charged. The plan review fee is a separate fee from the building permit fee and shall be in addition to the building permit fee. The plan review fee shall be set by Sheridan County but shall not exceed 67 percent of the building permit fee.~~

A plan review fee shall be charged. The plan review fee is a separate fee from the building permit fee and shall be in addition to the building permit fee. It shall not exceed 67% of the building permit fee.

~~Fees shall be assessed in accordance with the provisions of this section or shall be as set forth in the fee schedule adopted by Sheridan County.~~

~~The fee for each permit shall be as set forth in the Table 1-A, Building Permit Fees, contain within the 1997 Uniform Building Code.~~

Fees. Fees are due prior to issuance of a building permit. Applicable fee(s) are set by the Board of County Commissioners. These fees shall be revised periodically by the Board of County Commissioners.

**AGRI-BUSINESS**

East-county agri-business producers asked the Board to declare a crop disaster so that assistance could be applied for through federal and state loan programs. Poor grass growth due to late rainfall, followed by a grasshopper invasion, has resulted in lack of forage and grain production. The Board agreed and approved Resolution 09-10-152, authorizing a request for designation to be forwarded to Governor Freudenthal for recommendation to the Secretary of the US Department of Agriculture.

RESOLUTION 09-10-152  
DECLARATION OF AGRI-BUSINESS DISASTER

WHEREAS, Sheridan County’s agricultural community continues to suffer critical impairment due to drought conditions caused by the continuing cycle of warm dry winters and below average spring and summer precipitation since 1999; and

WHEREAS, precipitation during 2009 commenced too late in the year to contribute to good grass-hay production; and

WHEREAS, grasshopper infestations have ravaged the poor quality, available grass forage; and

WHEREAS, the major source of income for ranchers in Sheridan County is from cow-calf and ewe-lamb operations. Major crops are dry and irrigated hay, grain and pasture; and

WHEREAS, no dry land grass hay production is expected in the county and irrigated hay production will be below normal; and

WHEREAS, Sheridan County has been included in multiple Secretarial Natural Disaster Determinations since 1998; and

WHEREAS, the farmers and ranchers of Sheridan County will be in need of financial assistance due to the impact of this drought event.

NOW, THEREFORE, BE IT RESOLVED that the Board of Sheridan County Commissioners declares Sheridan County to be an agri-business disaster area due to poor grass growth caused by inadequate rainfall early in the season.

APPROVED AND ADOPTED this 20th day of October, 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 20th day of October, 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

LAKE DESMET COUNTIES COALITION

The Board reappointed Dave Clarendon to a second full term on the Lake DeSmet Counties Coalition. The three-year term will expire on November 1, 2012.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 9:55 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