

MINUTES OF THE BOARD OF SHERIDAN COUNTY COMMISSIONERS

The Board met at 9:00 a.m., November 3, 2009, in regular session at the Sheridan County Courthouse, Sheridan, Wyoming. Chairman Robert L. 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

There being no public comment on the items as read, the Board approved the Consent Agenda as published and authorized the Chairman to sign documents as required.

- a. Minutes of regular session, October 20, 2009;
- b. Official Bond and Oath for Vicki L. Cotton, Treasurer, Town of Dayton, \$70,000 coverage, term to July 1, 2010;
- c. Official Bond and Oath for Linda Lou Lofgren, Clerk, Town of Dayton, \$70,000 coverage, term to August 1, 2010;
- d. Sheridan County License Agreement to MDU to cross Upper Road CR113 to install a 4" PE Natural Gas line (fee paid);
- e. County Airport vouchers for October;
- f. General County vouchers for October.

OCTOBER 2009

INTERIM MID-MONTH WARRANTS

VENDOR	AMOUNT	DESCRIPTION
ACT INC	\$3,265.12	PHONE SERVICE
ALLTEL	\$25.37	CELL PHONE SERVICE
AMERICAN FAMILY LIFE INS CO	\$1,176.73	PREM PMTS FOR OCTOBER
CHARLES W BASSETT	\$3,971.04	CHEV TRLBZRS,COPIER LEASE PMTS
CIT-CO FEDERAL CREDIT UNION	\$5,964.70	MONTHLY PAYROLL TRANSFERS
CITY OF SHERIDAN	\$61.00	UTILITIES
DELTA DENTAL	\$7,992.15	OCTOBER PREMIUM
DEX MEDIA WEST	\$21.29	ADVERTISING
EBMS	\$1,776.17	FLEX PLAN
ED HAMMER INC	\$62,270.00	3 - '09 CHEV TRLBZRS
EQUITABLE LIFE INS	\$103.00	OCTOBER
HOME DEPOT	\$493.87	WASHER, GRINDER, SUPPLIES
ICMA RETIREMENT TRUST	\$4,797.74	OCTOBER
KELLY, PATRICIA B.	\$920.72	TAX PMT REIMB
MONTANA DAKOTA UTILITIES	\$8,472.09	UTILITIES
NCPERS GROUP LIFE INS	\$448.00	PRUDENTIAL LIFE
ORCHARD TRUST	\$7,378.50	WYO DEFERRED COMPENSATION
POWDER RIVER ENERGY CORP	\$31.18	UTILITIES
QWEST	\$203,233.78	PLANT EQUIP, WARRANTY, SFTWR, PHONE SVC
RANGE TELEPHONE CO-OP INC	\$381.73	PHONE SERVICE
SHERIDAN CHAMBER OF COMMERCE	\$41.00	CHAMBER BUCKS
SHERIDAN CNTY CIRCUIT COURT	\$1.48	GARNISHMENT
SHERIDAN CNTY TREAS HEALTH INS	\$113,429.50	HEALTH INS/FLEX PLAN FEE
SHERIDAN CNTY TREAS PAYROLL TAX	\$128,956.67	941
SHERIDAN PRESS INC.	\$63.00	SUBSCRIPTION
STATE FARM MUTUAL AUTO INS CO	\$225.00	ASSIGNMENT OF WAGES
TOWN OF CLEARMONT	\$50.00	UTILITIES
UNITED LIFE INSURANCE CO	\$1,456.79	OCTOBER
UNITED STATES POSTAL SERVICE	\$11,000.00	POSTAGE
VERIZON WIRELESS	\$1,236.38	CELL PHONE SERVICE
WALMART COMMUNITY	\$450.66	SUPPLIES
WRIGHT EXPRESS	\$8,259.36	FUEL

WYDOT	\$6.00	EXEMPT PLATES
WYO CHILD SUPPORT ENFORCEMENT	\$300.00	MONTHLY CHILD SUPPORT
WYO RETIREMENT SYSTEM	\$65,580.32	OCTOBER
WYO WORKERS COMPENSATION DIV	\$4,892.02	OCTOBER
TOTAL MID-MONTH INTERIM WARRANTS PAID	\$648,732.36	

GENERAL COUNTY WARRANTS

VENDOR	AMOUNT	DESCRIPTION
A & M SERVICE & SUPPLY	\$536.00	REPAIRS
ABC SIGNS AND SPECIALTIES	\$435.00	GRAPHICS
ACR CONSULTANTS INC	\$485.00	SURVEY
ALCOPRO INC	\$127.00	MOUTHPIECES
ALSCO	\$405.04	MATS, MOPS, FRMS, HNDLS
AMERICAN BAR ASSOCIATION	\$104.17	MEMBERSHIP
AMERICAN CORRECTIONAL ASSOCIATION	\$300.00	MEMBERSHIP
AMERICAN MAID	\$1,220.00	CLEANING SVC
ANYTHING WOOD	\$245.00	YD WORK, BLOW OUT SPRINKLERS
A-PLUS SERVICES	\$105.00	TOWING
ARNEY, NICKIE	\$355.64	TRAVEL EXP REIMB
ASSOCIATED CONST ENGINEERING INC	\$5,907.50	SHERIDAN CNTY CRTHSE SNOW MELT
BEEBE, MARY	\$22.00	MILEAGE
BENNETT, DIANNA	\$330.00	MILEAGE
BENNICK, CONNIE	\$121.88	CLTHG ALLOWANCE
BENTLEY SYSTEMS INC	\$4,010.00	SUBSCRIPTIONS
BERRY, DAVID	\$450.00	DEP CORONER
BIG HORN CNTY ELECTRIC CO-OP	\$37.58	UTILITIES
BIGHORN DESIGN	\$817.00	BANNER, CLTHG
BINOS GROCERY	\$862.79	SUPPLIES
BISHOP AG SERVICES	\$5,294.40	RECLAMATION
BLOEDORN LUMBER	\$138.34	MATERIAL
BOB BARKER COMPANY	\$1,082.52	RAZORS, GLOVES
BOBS PEST CONTROL	\$35.00	MONTHLY SVC
BORZENSKI, KOKO	\$4.82	MEAL
BRESNAN COMMUNICATIONS	\$68.19	CABLE TV
BRITAIN WORLD TRAVEL	\$35.00	TICKET FEE
BURNETT, DAN	\$200.00	CLTHG ALLOWANCE
BUSTECH INC	\$378.00	KEYBOARDS, PRINTERS
C HALE UNLIMITED MECHANICS	\$3,307.10	REPAIRS
CAPTAIN CLEAN	\$289.05	CARPET CLEANING
CARLSON, KATIE	\$135.30	MILEAGE
CARQUEST AUTO PARTS	\$25.15	PARTS
CARR, THOMAS	\$1,000.00	LEASE PMT
CARTRIDGE WORLD	\$41.72	CRTDGS
CAYWOOD, SONJA	\$300.00	LOGO WORK
CBM FOOD SERVICE	\$18,611.91	INMATE MEALS
CDW GOVERNMENT INC	\$443.16	LAMP, BTTY
CED INC	\$92.74	LAMPS
CHAMPION FERRIES FUNERAL HOME	\$3,560.00	FUNERAL, PHONE, RENT, SVCS
CHAMPLAIN PLANNING PRESS	\$187.00	SUBSCRIPTIONS
CHARM-TEX INC	\$287.94	SHOES, BLANKETS, GOWNS
CIRCLE S SANITATION	\$140.00	TRASH
CITY LANDFILL	\$111.56	TRASH
CITY OF SHERIDAN	\$949.84	UTILITIES, VIN
CLEMENS EXTERIORS	\$420.00	INSTALL GUTTER

COLLINS COMMUNICATIONS	\$70.00	INTERNET SVC
COMPUTER SOFTWARE ASSOCIATES	\$1,787.50	SUPPORT, WEBHOST FEE
COMTRONIX	\$90.00	ALARM SVC
CORONADO ENTERPRISES LLC	\$1,137.24	VINYL
CORRECTIONAL HEALTHCARE MGT	\$34,241.98	INMATE MEDICAL
COUNCIL OF SOCIAL AGENCIES	\$30.00	DUES
CUNDIFF, SHELLEY A	\$2,310.00	LEGAL
CUSTOM SPRINKLER & LANDSCAPING	\$130.00	SHUT DOWN SYS
DAY-TIMERS INC	\$23.99	CALENDAR
DCM CONSTRUCTION LLC	\$17,407.00	BUILD ROAD, HAUL WATER
DOANES AGRICULTURAL REPORT	\$169.00	SUBSCRIPTION
DRIVE TRAIN INDUSTRIES	\$111.23	CHAIN
DRM INC	\$132,600.70	CLEAR CRK BRIDGE RPLCMNT
ED HAMMER INC	\$3,244.35	BODYWK, OIL CHNGS
EDAW INC	\$9,000.00	SHERIDAN CNTY RIPARIAN MAPPING
E-FILLIATE INC	\$160.18	SUPPLIES
ENTECH INC	\$15,031.25	ENGINEERING
FARMERS CO-OP OIL CO	\$22,302.57	FUEL, SUPPLIES
FASTENAL	\$522.15	PARTS
FEASTER, MIKE	\$200.00	CLTHG ALLOWANCE
FECK, SUSAN	\$45.65	MILEAGE
FEDEX	\$20.34	SHIPPING
FERRIES, JAY	\$360.00	CONT LABOR
FERRIES, MARK	\$223.00	CORONER
FHSU ALUMNI ASSOCIATION	\$25.00	BOOK
FIRESTONE STORE	\$12.79	FLAT REPAIR
FLAHARTY, JAN	\$361.67	LEGAL
FREMONT MOTOR SHERIDAN	\$732.44	PARTS
GASES PLUS NORCO	\$199.28	SUPPLIES
HADLEY LAW OFFICE	\$1,651.00	LEGAL
HEALY LAW FIRM	\$126.00	LEGAL
HEARTLAND KUBOTA	\$216.24	CUTTING EDGES
HENRY SCHEIN INC	\$2,684.66	MEDICAL SUPPLIES
HILTON GARDEN INN	\$2,277.00	LODGING
HININGER, SCOTT	\$1,110.07	TRAVEL EXP REIMB
HORTICULTURE	\$29.95	SUBSCRIPTION
HOSPITAL PHARMACY	\$6.70	BAND AIDS
HOUSE OF CLEAN	\$543.97	TOWELS, SUPPLIES
IND COMMUNICATIONS & ELECTRONICS	\$608.04	LIGHT INSTALLATION
INDUSTRIAL TOWEL INC	\$31.91	TOWELS
INTERMOUNTAIN CONSTRUCTION	\$3,669.61	ASPHALT
INTER-MOUNTAIN LAB. INC	\$25.00	TESTING
INT. SOC OF ARBORICULTURE	\$150.00	MEMBERSHIP
INTERSTATE BATTERIES	\$99.75	BATTERIES
JACKS TRUCK & EQUIPMENT	\$495.81	PARTS
JACKSON ELECTRIC	\$422.50	CHANGE BATTERIES
JB STORAGE CONTAINERS	\$135.00	STG CONT RENT
JENSEN CONSTRUCTION	\$15,660.00	HYDROSEED, HYDROMULCH
JIFFY LUBE	\$39.99	OIL CHNG
JOHNSON CONTROLS	\$14,354.00	MAINT AGREEMENT
JWS ENERGY LLC	\$62,518.42	EST #2-BEAVR CRK RD
KBM&M INC. BIG HORN SANITATION	\$110.05	PORTABLE TLT
KERR, SANDI	\$44.68	TRAVEL EXP REIMB
KILPATRICK CREATIONS	\$73.50	CAPS
KINNAIRD LAW OFFICE	\$56.25	LEGAL

KNECHT HOME CENTER	\$146.20	SUPPLIES
L & S CONTRACTORS LLC	\$400.00	ROLLER RENT
LANNANS SUPPLY CO	\$159.76	JET BOND
LEGERSKI, CARRIE	\$30.25	MILEAGE
LOCO PRINTING	\$212.50	ENVELOPES
MAGIXSOFT	\$1,895.44	DISPATCH PC WKSTN
MARRIOTT PUEBLO	\$655.50	LODGING
MASTERCARD	\$11,955.29	OCT BILLS
MCMURRY READY MIX	\$1,102.07	MATERIAL
MEMORIAL HOSPITAL	\$17,314.27	FIXED COST PMT, INVOL HOSP
MIKES ELECTRIC INC	\$186.26	INSTALL SENSOR BOX
MODERN ELECTRIC CO	\$60.00	REPAIR LIGHTS
MONTGOMERY TECHNOLOGY SYS	\$138.46	LABOR
NAPA AUTO PARTS	\$665.33	PARTS
NATIONAL BUSINESS SYSTEMS	\$434.18	LIC POSTCARDS, PROOFS
NEWMAN TRAFFIC SIGNS	\$4,816.65	MATERIAL
NORMONT EQUIPMENT COMPANY	\$10,045.00	SANDER
NOVUS AUTO GLASS	\$325.00	WNDSHLD RPRS
OLE'S PIZZA	\$102.00	FOOD
ONE-CALL OF WYOMING	\$4.00	TICKETS
OREILLY AUTOMOTIVE INC	\$134.04	PARTS
PAETEC	\$29.90	PHONE SVC
PERSONALIZED STAMPED ENV PRGM	\$270.60	STAMPED ENVELOPES
PLAINS TIRE CO	\$86.14	REPAIRS
PLAINSMAN PRINTING INC	\$1,616.28	ABSTRACTS, INDEXES
PORTER MUIRHEAD CORNIA & HOWARD	\$25,000.00	FINANCIAL STMTS, AUDIT
POSITIVE PROMOTIONS INC.	\$801.13	PKT PALS
POWDER RIVER POWER	\$116.33	WRENCH, PARTS
PRESTFELDT SURVEYING	\$345.00	SURVEY
PRESTO PRINT & COPY SERVICES	\$15.00	COPIES
PRILL BROTHERS INC	\$674.25	REPAIRS
PSS - SALT LAKE CITY	\$2,958.98	SYRINGES
QUARTERMASTER	\$136.97	SHIRTS, PATCHES
QUICK PRINTING	\$92.00	BUS CARDS
QUIK SAK	\$81.31	FUEL
QUILL CORPORATION	\$229.21	SUPPLIES
QWEST SECURITY RESPONSE CTR	\$300.00	AMA CHG
RADIO TIME BILLING	\$152.00	SAFETY CAMPAIGN
RANGE BEEF COW SYMPOSIUM	\$85.00	SYMPOSIUM
RAPID FIRE PROTECTION INC	\$205.00	REPLACE HEAD
RED EAGLE OIL CO	\$17,385.46	FUEL
ROLSTON, BOB	\$264.00	MILEAGE
ROSCOE BRIDGE	\$19,800.00	KLEENBURN MINE TRL BRIDGE
ROSCOE STEEL & CULVERT CO	\$6,900.00	MATERIAL
S & S BUILDERS	\$20,315.54	W BRUNDAGE LN RECONST
SCHONENBACH, KATHIE	\$58.30	MILEAGE
SHERIDAN ACE HARDWARE	\$49.99	AIR TANK
SHERIDAN CNTY AIRPORT	\$18,366.67	FIXED COST PMT, LEASE PMT
SHERIDAN CNTY CLERK	\$46.95	SUPPLIES
SHERIDAN CNTY EXTENSION	\$259.90	EXP REIMB
SHERIDAN CNTY FAIR ASSN	\$41,666.67	FIXED COST PMT
SHERIDAN CNTY FULMER PUBLIC LIBRARY	\$114,500.00	FIXED COST PMT
SHERIDAN CNTY PUBLIC HEALTH	\$50.00	EMP MEDICAL
SHERIDAN CNTY PUB HLTH-PETTY CASH	\$40.98	EXP REIMB
SHERIDAN COMMERCIAL CO	\$694.41	SUPPLIES

SHERIDAN ELECTRONICS	\$69.96	MICS, MICROFLASH
SHERIDAN HIGH SCHOOL	\$200.00	ADVERTISING
SHERIDAN IRON WORKS	\$1,059.96	MATERIAL
SHERIDAN LOCK & KEY	\$40.00	LOCKOUT
SHERIDAN MEDIA	\$660.00	ADVERTISING
SHERIDAN PRESS	\$2,024.20	ADVERTISING
SHERIDAN SEED CO	\$62.98	K9 FOOD
SHERWIN WILLIAMS	\$8.59	SUPPLIES
SHIPTONS BIG R	\$1,117.26	MATERIAL, SUPPLIES
SOURCE OFFICE PRODUCTS	\$550.51	SUPPLIES
STATE OF WYO-OFFICE OF PUB DEFENDER	\$3,362.47	LEGAL
STEVE MOSSER INC	\$40,248.00	HAULING
STEVES TRUCK SERVICE INC	\$2,629.64	REPAIRS
STRAHAN, HUNTER & ASSOCIATES	\$1,844.67	HEALTH OFFICER, INVOL HOSP, SCREENING
SUMMIT SIGNS & SUPPLY	\$1,617.50	POSTS
SWANSON SERVICES CORP	\$3,948.31	COMMISSARY ORDERS
SYSCO FOOD SERVICES OF MONTANA	\$204.81	SUPPLIES
TASER INTERNATIONAL	\$350.00	RETURN
TEDS TOWING	\$100.00	TOWING
TELFORD, ASHLEY	\$350.90	MILEAGE
TERRY, SUSAN	\$5.49	POSTAGE
THE BIG HORN MTN RADIO NETWORK	\$400.00	ADVERTISING
THE RADAR SHOP	\$944.00	RECERTIFY RADAR UNITS
THE TROPHY CASE	\$103.30	NAME PLATES
THE UPS STORE	\$24.43	SHIPPING
THOS. Y PICKETT & CO	\$1,200.00	VALUATION CONTRACT
THRONE LAW OFFICE	\$581.25	LEGAL
THYSSENKRUPP ELEVATOR	\$868.79	ELEV MAINT
TIRE - RAMA CORPORATE OFFICE	\$35.80	ROTATE TIRES
TOP OFFICE PRODUCTS	\$2,804.79	COPY CHGS, SUPPLIES
TRACKER SOFTWARE CORPORATION	\$360.00	SUPPORT
TSP INC	\$39,824.04	SHERIDAN CNTY CRTHSE 3RD & 4TH FLR RENOV
TWENTY MILE LLC	\$32,240.00	SCORIA
US BANK CORPORATE REAL ESTATE	\$660.00	OFFICE RENT
VALLEY MOTOR LEASING INC	\$2,451.54	LEASE PMTS
VALLEY TREE SURGEONS	\$215.00	TREE REMOVAL
VALLEY WELDERS SUPPLY	\$141.11	MATERIAL
VISTA WEST ENGINEERING	\$22,918.81	ENGINEERING
VOLUNTEERS OF AMERICA	\$125.00	TESTING
WACO	\$80.00	REGISTRATION
WPCI	\$28.50	SCREENING
WAREHOUSE MARKET	\$282.36	MEALS
WAY OIL COMPANY	\$3,067.56	OIL, ANTIFRZ
WEST PAYMENT CENTER	\$2,918.35	INFO CHGS, BOOKS
WILD WEST CELLULAR	\$35.00	BTTY
WILLIAMSON, WANDA	\$150.15	MILEAGE
WYATT, AMY	\$93.98	MILEAGE, EXP REIMB
WYOMING CLERK OF DIST COURT ASSN	\$125.00	DUES
WYOMING DEPT OF HEALTH	\$31,156.19	PAYROLL
WYOMING ELECTRIC INC	\$3,659.04	INSTALLATIONS
WYOMING LAW ENFORCEMENT ACADEMY	\$800.00	TRAINING
WYOMING MACHINERY COMPANY	\$7,560.30	PARTS
WYOMING RENTS LLC	\$80.00	RENTAL
ZOWADA PLUMBING & HEATING	\$105.41	PLUMBING
TOTAL GENERAL COUNTY WARRANTS	\$944,575.87	

AIRPORT WARRANTS

VENDOR	AMOUNT	DESCRIPTION
ACT	\$236.95	PHONE SERVICE
ALLTEL	\$33.18	CELL PHONE
BIG HORN TIRE	\$1,769.20	TIRES
BRESNAN COMMUNICATIONS	\$139.35	INTERNET SERVICE
BURGESS DESIGN GROUP	\$227.50	AIRPORT PROMOTION
CARQUEST AUTO PARTS	\$698.21	PARTS
CARTRIDGE WORLD	\$31.79	CARTRIDGE
COMTRONIX	\$105.00	ALARM MONITORING
CED INC	\$11.74	LAMPS
CRAFTCO METALS SERVICES INC	\$164.05	MATERIAL
DOUGLAS PORTABLE TOILETS	\$99.00	PORT TOILETS
FARMERS COOP OIL CO	\$207.50	FUEL
FRY CONSTRUCTION	\$1,118.00	DCI PARKING LOT
FSH COMMUNICATIONS	\$70.00	PAY PHONE SERVICE
GASES PLUS	\$203.54	SUPPLIES
GRAINGER	\$169.20	BEARING
HANDO'S SERVICE CENTER	\$17.98	OIL
HOME DEPOT	\$6.24	BITS
IDEAL MFG INC	\$747.07	CABLE ASSY, PARTS
IMPACT MAGAZINE	\$464.79	ADVERTISING
INDUSTRIAL TOWEL	\$46.64	TOWELS
INLAND TRUCK PARTS	\$756.08	PARTS
JERILEA PHILLIPS CPA	\$50.00	ACCOUNTING
KNECHT HOME CENTER	\$496.39	SUPPLIES
MASTERCARD	\$1,225.85	POSTERS, APPLIANCES, BINDING MACHINE, SUP
MONTANA DAKOTA UTILITIES	\$3,344.96	UTILITIES
MULLINAX CONCRETE SERVICE	\$42.53	MATERIAL
NAPA AUTO PARTS	\$98.28	BTTY
OSHKOSH-MCNEILUS TRUCK & MFG	\$113.03	VALVE
POWERS PRODUCT CO	\$120.00	HARDWARE
RADIO TIME BILLING	\$152.00	ADVERTISING
S & S BUILDERS	\$262,720.68	RECONST GA APRON
SHERIDAN ACE HARDWARE	\$79.90	SUPPLIES
SHERIDAN COMMERCIAL	\$2,667.02	GRINDER RENTAL, EPOXY KITS
SHERIDAN CNTY AIRPORT	\$57.80	REIMB PETTY CASH
SHERIDAN SAW SERVICE	\$109.49	REPAIR
SHIPTONS BIG R	\$14.90	MATERIAL
SIGN PRODUCTS INC	\$7,370.00	SIGNAGE
SHERIDAN PRESS	\$162.00	ADVERTISING
TINA SMITH	\$67.10	MILEAGE
TIRE RAMA	\$20.00	TIRE REPAIR
TOP OFFICE PRODUCTS	\$474.87	SUPPLIES
VISTA WEST	\$23,999.87	GA APRON, TERM SCRNG, PRKLT, RUNWAY RPR
WALMART	\$391.56	SUPPLIES
WAY OIL CO	\$3,535.72	FUEL
YELLOWSTONE POLARIS	\$128.54	PARTS
TOTAL AIRPORT WARRANTS	\$314,765.50	

AGENDA

The Board approved the agenda as published.

ANNOUNCEMENTS

Chairman Rolston recognized Deputy County Attorney Lynn Smith and Nate Anderson, Senior Maintenance Worker, for five years of service to the County with a certificate and Chamber bucks.

PUBLIC COMMENT

There was no comment on matters not on the agenda.

TURNED ANTIQUES; CU-09-007

Chairman Rolston opened the public hearing at 9:04 a.m. to receive comment on a conditional use permit application to allow outdoor display of merchandise. Land Development Coordinator Robin DeBolt reported that Neltje is requesting amendment of her existing CUP to display merchandise outdoors between May 15 through September 15 each year. Ms. DeBolt outlined the CUP history and showed slides of the business location. She said the Planning and Zoning Commission recommended approval of this item. Bill Pugh of Centennial Collaborative, representing the applicant, said that it was not practical to move the metal outdoor furniture during sale months of operation. No one else spoke to this issue. The hearing was closed at 9:09 a.m.

Commissioner Maier commented that the business has been of concern to him, being in an agricultural area with significant expansion. He said the pattern of asking forgiveness after the fact, instead of properly requesting a CUP prior to these expansions should cease. County Planner Mark Reid advised that CUPs are reviewed annually and if not brought into compliance are referred to the County Attorney's office for prosecution. The Board approved the Turned Antiques Outdoor Merchandise CUP, Commissioner Maier dissenting, with the following conditions:

1. All conditions of Item CU-07-009, Turned Antiques Sales Barn CUP, shall remain in full effect with the exception of condition #6 limiting the display of outdoor merchandise.
2. All conditions of Item CU-08-013, Turned Antiques Additional Building CUP, shall remain in full effect.
3. The 24-hour outdoor display of merchandise is limited to between May 15 through September 15.
4. Outdoor merchandise shall be limited to lawn and garden merchandise, furniture and ornamentation.
5. The applicant shall stake out the 2.75 acre site within 60 days of approval by the BOCC.
6. Should the owner sell the property, the new owner(s) shall contact the Sheridan County Public Works Department as to the change in ownership and to receive a copy of the conditions of the CUP.

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

CU-09-008; 7 BROTHERS RANCH/FIDELITY PIPE STORAGE YARD

Chairman Rolston opened a public hearing at 9:15 a.m. to receive comment on this request to renew a conditional use permit for a pipe storage yard on five acres accessed off

Lower Prairie Dog Road. Ms. DeBolt said this is a renewal of a CUP originally permitted in 2004. Besides storage of pipe, it also stores irrigation materials for the ranch. She said the Planning and Zoning Commission recommended approval of this item. Dan Powell, Construction and Water Manager, stated that the CUP site has been staked. The hearing was closed at 9:17 a.m.

The Board approved the 7 Brothers Ranch/Fidelity Pipe Storage Yard CUP with the following conditions:

1. The conditions of Item 04-004, 7 Brothers Ranch Pipe Storage Yard, is herewith void and replaced with the conditions of CU-09-008, 7 Brothers Ranch/Fidelity Pipe Storage CUP.
2. The applicant shall stake out the five acre site within 60 days of approval by the BOCC.
3. Should the owner sell the property, the new owner(s) shall contact the Sheridan County Public Works Department as to the change in ownership and to receive a copy of the conditions of the CUP.
4. Should the site cease to be used for storage of materials used in the coalbed methane industry, the site shall be reclaimed by the applicant within one year.
5. No structures, lighting or signage shall be added to the site.

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

X--X RANCH PROPERTY EXEMPTION

Ms. DeBolt advised that the X--X Ranch property, accessed via East Pass Creek Road, CR 21, is requesting an exemption pursuant to Section 1.4.(b)-Exemptions, iii of the Division of Land Rules. Robert Berger, representing X--X Ranch LLC, assured the Board that no development is planned, only a one-time transfer of 36.68 acres is proposed to Dave Hannah, Ranch Manager. He said the ranch is under a Nature Conservancy easement which has approved the split, however, it has been delayed due to the need to quiet title to this property. The Board granted the exemption for the X--X property, finding specifically that the dated map of February 20, 2008 is sufficient documentation to fall under this exemption for large acreage subdivisions promoted prior to July 1, 2008.

LAGE-09-002; FALLIS LARGE ACREAGE GRANT OF EXEMPTION;

Ms. DeBolt advised that John Fallis is requesting an exemption from the requirements stated in Section 2.11 of the Land Division Rules to create two parcels. She said all required documentation for the property has been submitted and this type of request is not reviewed by the Planning and Zoning Commission. The parcels would consist of 109.10 acres and 48.08 acres, which have a 40-foot access and utility easement from Ulm Road, CR42. Bill Pugh stated Mr. Fallis has moved to Idaho. As all requirements of Section 2.11 were met, the Board approved the Fallis Large Acreage Subdivision Grant of Exemption.

PUBLIC HEALTH

The Board accepted the grant award for phase 3 funding of the H1N1 vaccine program and approved the agreement between the Wyoming Department of Health and Sheridan County Public Health Nursing Services, in an amount not to exceed \$138,560, for a term through September 30, 2010.

PRIVATE ROAD APPLICATIONS

The Board approved Resolution 09-11-154, authorizing a requirement that an applicant post a bond to ensure payment of expenses for an application before the Board for the establishment of a private road; evidence of such posting is to be made if, at the conclusion of the hearing to determine whether the applicant has no legally enforceable access to his land, the Board retains jurisdiction in the matter.

RESOLUTION 09-11-154 REQUIREMENT FOR BOND BY APPLICANT FOR THE ESTABLISHMENT OF A PRIVATE ROAD

WHEREAS, any person whose land has no outlet to, nor connection with a public road, may file an application in proper form in writing with the board of county commissioners for a private road leading from his land to some convenient public road; and

WHEREAS, the board of county commissioners is required to act upon said application in a timely manner according to the procedure prescribed by W.S. 24-9-101 et seq.; and

WHEREAS, pursuant to W.S. 24-9-101(f), the board may assess to the applicant costs for acting on the application and W.S. 24-9-103 and require the applicant to file a bond to pay for such costs. In lieu of filing a bond, the applicant may deposit with the Board of County Commissioners a sufficient sum of money to pay for such costs.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners, Sheridan County, Wyoming, that henceforth, Applicant(s) for the establishment of a private road shall post a bond, in the amount of \$10,000, if, at the conclusion of the hearing to determine whether Applicant(s) have no legally enforceable access to their land, the Board retains jurisdiction of the matter; said bond to pay for costs to act on the application.

BE IT FURTHER RESOLVED that costs shall be tracked and a statement presented to the Applicant to reconcile the expense report prior to the Board's Order. Such expenses include but may not be limited to photocopies (25 cents each), publication (as charged), survey (if required), viewers and appraisers (as accepted by Board), and damage claims (if awarded).

BE IT FURTHER RESOLVED that this Resolution shall remain in full force and effect until such time as it may be rescinded or amended.

DATED this third day of November, 2009.

BOARD OF COUNTY COMMISSIONERS

Sheridan County, Wyoming
/s/Robert L. Rolston, Chairman
(Signature notarized)

Attest:
/s/Audrey Koltiska, County Clerk

ESTABLISHMENT/VACATION/ALTERATION OF COUNTY ROADS

The Board approved Resolution 09-11-155, authorizing a \$200 deposit to be submitted with each petition to establish, vacate or alter a county road.

RESOLUTION 09-11-155 REQUIREMENT FOR DEPOSIT BY PETITIONER FOR THE ESTABLISHMENT, VACATION OR ALTERATION OF COUNTY HIGHWAYS

WHEREAS, a Board of County Commissioners may by resolution initiate establishment, vacation or alteration of a county highway, as authorized by W.S. 24-3-101(a); and may receive a petition by any person for the same purpose, as authorized by W.S. 24-3-101(b); and

WHEREAS, pursuant to W.S. 24-3-102, a Board of County Commissioners may require that the petitioner(s) deposit with the County Clerk, a sufficient sum of money to defray the expenses of laying out, vacating or altering such a road, and such expense, when so incurred, shall be paid out of such deposit.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners, Sheridan County, Wyoming, that henceforth \$200 shall be deposited with a petition in proper form to initiate the process to establish, vacate or alter a County road.

BE IT FURTHER RESOLVED that costs shall be tracked and a statement presented to the petitioner to reconcile the expense report prior to a quitclaim deed being filed with the county clerk. Such expenses include but may not be limited to photocopies (25 cents each), publication (as charged), survey (if required), viewers and appraisers (as accepted by Board), and damage claims (if awarded).

BE IT FURTHER RESOLVED that this Resolution shall remain in full force and effect until such time as it may be rescinded or amended.

DATED this third day of November, 2009.

BOARD OF COUNTY COMMISSIONERS

Sheridan County, Wyoming
/s/Robert L. Rolston, Chairman
(Signature notarized)

Attest:
/s/Audrey Koltiska, County Clerk

HISTORIC COURTHOUSE

The Board approved Resolution 09-11-153, authorizing the submission of an Investment Grade Energy Audit grant application, in the amount of \$5,200, to the State Loan and Investment Board for the purpose of evaluating the existing HVAC equipment and systems in Sheridan County's Historic Courthouse to determine the type of upgrades or repairs needed to improve energy efficiency.

COURTHOUSE ACCESS

Administrative Director Renee Obermueller stated that the U.S. Marshal's Service did a security assessment of the Courthouse sometime ago which indicated some deficiencies. She said four bidders have responded to a request for proposal to upgrade Courthouse security. The proposal would also allow capacity for future upgrades to County IT improvements. The Board authorized the Chairman to execute the agreement with Collins Communication, Inc. of Gillette to provide labor, materials and equipment to install a turnkey packaged surveillance system at the County Courthouse, in an amount not to exceed \$108,323.67.

COURTHOUSE SNOW MELT SYSTEM

Ms. Obermueller said interior work is now required to complete the west entry-way project. She said three bids were received for this portion of the work. The Board awarded the bid to provide labor, materials and equipment for the installation of the interior component of a Service Drive Snow Melt System to A Plus Plumbers, Inc. of Sheridan, in the amount of \$23,972; and further authorized the Chairman to execute the agreement for a term to December 31, 2009. Chairman Rolston commented that this project and the reconstruction of Burkitt Street should pave the way for a promised crosswalk across Burkitt by the City of Sheridan.

COUNTY PROPERTY

As a result of a title search for a City project, a small parcel of land belonging to the County was discovered. The Board authorized the chairman to execute a quitclaim deed releasing to the City of Sheridan the County's interest in this small strip of land, consisting of 2,078 s.f. adjacent to Coffeen Avenue and Little Goose Creek.

RECESS

At 9:50 a.m., the Chairman called for a recess of the proceedings until 11:00 a.m. at which time the Board would consider two matters in public hearings.

SWANEY PRIVATE ROAD PETITION

Chairman Rolston opened the public hearing at 11:00 a.m. and advised that James and Katy Swaney, through their attorney Jacob Brooks, have applied to establish a private road. He said the Board is required to set a contested case hearing date and make some findings for its Order to the record. Mr. and Mrs. Swaney, and their attorney Jacob Brooks, John Bohnsack and his attorney Ryan Healy were in attendance.

Chairman Rolston read through the Board's proposed Order on Preliminary Matters, and the Board voted to approve motions to: (1) address temporary access; (2) add landowners Alan J. and Nancy M. Kobielus (trustees), residing at 818 U.S. Highway 14; and Tad J. Chenoweth, residing at 813 U.S. Highway 14, as affected parties to this matter; (3) appoint Deputy County Attorney Lynn M. Smith to serve as the hearing officer for these proceedings; (4) provide an additional order setting the date for the contested case hearing to determine whether the applicants have legally enforceable access to their land; and (5) require a bond should the Board retain jurisdiction after the Access Hearing. The Board approved the Order as stipulated.

SPEAR G SUBDIVISION; PP-09-004

Chairman Rolston said that, pursuant to Appeals Section 4.6 of the Rules and Regulations Governing Division of Land in Sheridan County, the Board would consider whether it should affirm or modify the denial recommendation by the Planning and Zoning Commission pertaining to the Spear G Subdivision Preliminary Plat application by John and Donna Gregersen. He advised that the members of the Board had reviewed the staff report given to the Planning and Zoning Commission and the minutes of the Commission meeting in this matter. He outlined the two variance requests presented with the Preliminary Plat application.

- (1) Variance from the 60-foot street width requirement
(Sections 3.2.i. and 3.3.b. of Land Division Rules)
- (2) Variance from dedication of a public street requirement
(Sections 3.2.i. and 3.3.b. of Land Division Rules)
- (3) Preliminary Plat as presented for a 3-lot subdivision with the conditions recommended by the Planning Staff.

Attorney Virgil Kinnaird, representing the Gregersens, with land surveyor Dave Randall, surveying assistant Rex Randall and engineer Bruce Yates in attendance, presented remarks supporting the Gregersen appeal. Mr. Kinnaird said the proposed subdivision would create three lots, each at five acres, from tract 4 of the Addington Minor Subdivision. He said a road access easement is proposed on the west side of the tract, and due to physical obstructions, such as mature trees, the width should be 40-feet rather than the required 60-feet. By approving the reduced width, the natural terrain would be preserved which follows General Standards Section 3.1(a) of the Land Division Rules. He argued that the plat is in compliance with providing access as there is at least one street with a 60 foot width to the subdivision, that being U.S. Highway 87. He said the variance request to not dedicate the right-of-way access as a public road is due to a deed restriction mandating that the parcel acreage not be less than five acres. He noted that upon his review of easements back to 1972, over 90 subdivisions allow

less than a 60-foot right-of-way or easement for access. He suggested that for a straight line tract of three lots, a 40 foot easement should suffice. He stated a dedicated easement is not required by Wyoming Statute and only appears once in the statement of dedication on the plat. He said that streets and roads are not required within a subdivision but access is. He commented that the deed restriction is more enforceable and that his clients are in an awkward position.

A discussion ensued on the requested variances pertaining to dedication of easements to the public and whether a use can be dedicated without losing ownership of the property on which it lies. Deputy County Attorney Lynn Smith cited W.S. §34-12-104 in opposition to that supposition. Mr. Kinnaird commented that an allowance could be made for an easement of access that would be in compliance with the Land Division Rules, authorizing ingress and egress by the lot owners.

Mr. Kinnaird said the rules are not black and white about hardships and each case must rest on its own merits.

Comments by the Commissioners were made about the management of growth by adopted standards to keep quality land use. Upon a motion to affirm the recommendation for denial given by the Planning and Zoning Commission on this preliminary plat application, the Board voted two to two, Commissioner Nickel being absent. Chairman Rolston said the applicants would receive the Board's Findings of Fact, Conclusions of Law on this matter.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at Noon.

BOARD OF COUNTY COMMISSIONERS
Sheridan County, Wyoming

Attest:

Robert L. Rolston, Chairman

Audrey Koltiska, County Clerk