

MINUTES OF THE BOARD OF SHERIDAN COUNTY COMMISSIONERS

The Board met at 9:00 a.m., March 18, 2008, in regular session at the Sheridan County Courthouse, Sheridan, Wyoming. Members present were Commissioners Robert L. Rolston, Terry Cram and Steve Maier. Chairman Rolston called the meeting to order and led everyone in the Pledge of Allegiance.

AGENDA

The Agenda was approved as published and amended to also consider an appointment to the Sheridan County Fair Association board of trustees.

ANNOUNCEMENTS

Chairman Rolston announced that Laurie Scheeler has decided not to request reappointment to the Planning and Zoning Commission when her term expires June 30, 2008.

PUBLIC COMMENTS

Marc Ketcham, Rocky Mountain Ambulance, reported on January and February activities. Commissioner Cram noted that the response times were within the contracted parameters.

CONSENT AGENDA

The Board approved the Consent Agenda as read and authorized the Chairman to sign documents as required: (a) Minutes of March 4, 2008; (b) Official Bond and Oath for Martin W. Schwartz, Treasurer, Sheridan Recreation District, \$5,000 coverage, term to March 18, 2009; (c) Sheridan County License Agreement 0805LA, Bear Paw Energy, LLC., to cross Cat Creek Road to install pipe line; (d) Photocopier lease agreement for Attorney's office with B&B Leasing Company; (e) Certificate of Substantial Completion, Detention Center kitchen contract with Fletcher Construction.

COUNTY AIRPORT

The Board approved a lease agreement with National Communication Systems, Inc. dba National Advertising. The agreement will allow an advertising sign board to occupy 12 square feet of wall space in the terminal building, for a term of five years at \$100/month and with all other conditions of the lease.

SHAC

Marie Lowe, Director of the Sheridan Housing Action Committee, gave the Commissioners an update on its affordable housing activities. Ms. Lowe said that in 2007 SHAC provided gap financing to 16 families, closed on five homes; provided indirect assistance to 48 low income rental townhouse transactions; and provided homebuyer education/financial counseling to 210 families/individuals. She said SHAC has initiated a Homebuyer Club which meets monthly, and an Individual Development Account, which is a savings program associated with the Homebuyer Club. More detailed information may be obtained by contacting Ms. Lowe at SHAC.

Q-08-001; MULLINAX-GRIFFITH QUARRY

The Board removed this item from the Table for further consideration. Chairman Rolston opened the public hearing at 9:31 a.m. to receive comment on a request to remove condition #4 of the permit which would allow year round operation of the quarry. Land Development Coordinator Robin DeBolt advised that the Planning and Zoning Commission voted 5-0 to recommend approval. She said this quarry was the only one so limited. No one else spoke to this issue. The hearing was closed at 9:34 a.m. Commissioner Cram and Public Works Director Bruce Yates commented on resident

concerns about traffic and the speed of haul trucks on Soldier Creek Road. Mr. Yates said that an agreement had been prepared for truck hauling on county roads, which would limit speed and place numbers on trucks for easy identification. This agreement is under review by the County Attorney's office and it may be necessary to designate roads which would be limited in order to minimize the County's cost when hauling long distance. Chairman Rolston also noted there is commercial traffic on Soldier Creek Road attempting to bypass the Port of Entry. The Board approved the removal of condition 4 from the Mullinax-Griffith Quarry permit, allowing them to operate year round, with all other conditions to remain in full effect.

S-08-002M; POWDER HORN MINOR #22

Ms. DeBolt said this request would create five lots on 6.77 acres, accessed off Clubhouse Drive and Canyon View Drive. She noted that numerous hours of personnel time had been spent reviewing submitted plats which were incorrect. Ms. DeBolt outlined the staff's various concerns and recommended that this application be required to start over, as the road for this subdivision was in place prior to the plat and the as-built drawings and the plat do not match. Bill Mentock, engineer for the applicant, said that the road lies within the right-of-way but the curve data is slightly different, being no more than one foot off. Dave Randall, of Randall Surveying, commented that the deficiencies may be critical in the future as roads are used in place of monuments when those are lost. Upon a question by the Commissioners, Mr. Yates said the plat as-is was deficient but could be acceptable for filing. He said he needed a copy of the as-built or record drawings for the file. County Planner Mark Reid said that, procedurally, construction should not commence until the subdivision permit is issued, which includes roads, and that this regulation should be impressed on everyone for future applications. Ms. DeBolt said the Planning and Zoning Commission voted 3-2 to recommend approval. The Board, noting that the deficiencies were not insignificant, but as it was a small subdivision and with all the work invested by the Public Works office, they did not wish to delay it any further. The Board approved the Powder Horn Minor #22 subdivision, applying the 40 conditions of the Powder Horn PUD Master Plan to these lots and requiring that record drawings be provided to the County Engineer.

S-08-001; SPIRIT RIDGE SUBDIVISION

Ms. DeBolt advised that this request by Randy Deones and Dale Fincher would create 20 lots on 123.17 acres in the Urban Residential zone. The property is accessed off Highway 14 west of Ranchester and is identified as an expansion area of the community. The Town of Ranchester approved this application and the Planning and Zoning Commission voted 3-2 to recommend approval. Upon a question by Commissioner Cram, Ms. DeBolt said the applicants were requesting an easement variance from the required perimeter utility easement on these lots. She said a performance bond would be executed upon approval, and Mr. Deones has agreed to provide a pump for the 5,000 gallon capacity fire protection water tank. The Board approved the Spirit Ridge Subdivision final plat with the conditions that (1) An easement variance is hereby approved and shall be noted on the final plat; the variance allowing utilities to be placed only as specified by such utilities; (2) Building permits and inspections shall be required; and (3) The chairman is authorized to execute a required Subdivision Improvement Agreement with the applicants.

ADSIT ESTABLISHMENT OF A PRIVATE ROAD

Having been filed in proper form, the Board acknowledged receipt of an application to establish a private road by Robert and Leona Adsit of 52 Cottonwood drive. The Board directed the County Engineer to view conditions on the ground and otherwise research ownership of land to determine whether there should be other parties to this matter and report to the Board on April 1.

BUILDING RESOLUTION

Mr. Yates advised that the County was not yet prepared to conduct electrical code inspections as prescribed by the amended Sheridan County Building Resolution approved by the Board on March 4, 2008. Mr. Yates said the County would need to hire someone to assist the County Inspector or contract with the City. The Board authorized the Chairman to sign resolution 08-03-009 on behalf of the Board, which sets an effective date of no later than July 1, 2008 for the Sheridan County Building Resolution. If agreement is reached earlier on the electrical code component, the Board will make the announcement in a public meeting and set the effective date at that time.

RESOLUTION 08-03-009
RULES AND REGULATIONS FOR BUILDING STANDARDS
WITHIN SHERIDAN COUNTY

WHEREAS, the Board of County Commissioners, observing a need to amend its regulations governing building standards, expressed its intent on January 16, 2008 to amend the regulations, cited as the Sheridan County Building Standards Resolution, last amended May 18, 1999, and

WHEREAS, the Board of County Commissioners approved and adopted the changes to the Sheridan County Building Standards Resolution, being in conformity with industry standards, on March 4, 2008; and

WHEREAS, negotiations and agreements are yet to be finalized before Sheridan County undertakes to inspect new construction under the National Electrical Code as specified in the amended Sheridan County Building Resolution.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners hereby sets an effective date no later than July 1, 2008 for the Sheridan County Building Standards Resolution to go into effect. If agreement is reached earlier on the Electrical Code component, the Board will make the announcement in a public meeting and set the effective date at that time.

DONE in a regular meeting of the Board of County Commissioners this 18th day of March, 2008.

BOARD OF COUNTY COMMISSIONERS
Sheridan County, Wyoming
/s/Robert L. Rolston, Chairman

ATTEST:
/s/Audrey Koltiska, County Clerk

STATE OF WYOMING)
)ss
COUNTY OF SHERIDAN)

On this 18th day of March, 2008, before me personally appeared Robert L. Rolston, being first duly sworn, did say that he is the Chairman of the Board of County Commissioners, 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

COLLEGE AVENUE

The Board voted to release and transfer to the City of Sheridan all of the County's interest in College Avenue aka the Park Street extension to Prairie Dog Road, the Chairman being authorized to execute a quitclaim deed on behalf of the Board.

HIGBY ROAD

Upon the recommendation of the County Engineer to improve safety, the Board approved the closure of Higby Road to parking on the east side of this road, running from East 17th Street to Kooi Street, effective when posted.

POPLAR GROVE PUD

Administrative Director Renee Obermueller, said that under the rules of the State Loan and Investment Board for affordable housing projects, a developer has the right to sell lots to another developer who is then held to the same rules and standards. Upon the request of Steve Redinger, the Board approved the Assignment of Affordable Housing Agreement between Better Living, LLC and Fine Home Builders, LLC and further approved the partial release of lien by Sheridan County to lots 5 and 6 of Block 1, Poplar Grove PUD; the chairman being authorized to execute these documents.

BIG HORN MOUNTAIN COUNTRY COALITION

To support the Big Horn Mountain Country Coalition's efforts to maintain its designation as an Economic Development District, created through the U.S. Department of Commerce, the Board approved Resolution 08-03-008, increasing the County's annual dues to \$12,500 for the 2008-2009 FY budget.

RESOLUTION 08-03-008 BIG HORN MOUNTAIN COUNTRY COALITION

WHEREAS, Sheridan County is a member of the Big Horn Mountain Country Coalition ("BHMCC"), a partnership with Big Horn, Johnson and Washakie counties and certain other interest groups and governing bodies of these Wyoming counties; and

WHEREAS, the BHMCC has been designated an Economic Development District by the U.S. Department of Commerce, Economic Development Administration; and

WHEREAS, the BHMCC in 2006 received an Economic Development Administration grant, in the amount of \$50,000 annually, for a term of three years; and

WHEREAS, the governing body of the County of Sheridan supports the BHMCC in its efforts to maintain the Economic Development District as part of the Community Economic Development Strategy of the Department of Commerce, Economic Development Administration; and

WHEREAS, the BHMCC was created to support the local efforts of each county in the development of resources, sustaining existing businesses and generation of new business development.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Sheridan County, Wyoming, hereby supports the BHMCC in its efforts to maintain the Economic Development District of the United States of America in the State of Wyoming.

BE IT FURTHER RESOLVED that the Sheridan County FY 2008-2009 budget shall reflect an increase in dues to the BHMCC, in the amount of \$12,500, which is Sheridan County's proportionate share of the four-county dues contribution to provide the EDA grant match funds.

BE IT FURTHER RESOLVED that Sheridan County, Wyoming intends to designate continued funding toward the BHMCC efforts to sustain the Economic Development District.

ADOPTED THIS eighteenth day of March, 2008.

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 18th day of March, 2008, 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

DEPOSITORIES OF PUBLIC FUNDS

Ms. Obermueller asked that the Wyoming Government Investment Fund be included in the suggested resolution. Where upon, pursuant to W.S. 9-4-831, the Board approved Resolution 08-03-007, designating financial institutions as depositories for public funds of Sheridan County.

RESOLUTION 08-03-007
DEPOSITORIES OF PUBLIC FUNDS FOR SHERIDAN COUNTY

BE IT RESOLVED, that financial institutions located in Sheridan County having properly applied pursuant to W.S. 9-4-818, the Board of County Commissioners designate the following financial institutions as depositories for public funds of Sheridan County (including the Sheridan County Airport, Sheridan County Fulmer Public Library, and the Sheridan County Fair Association), and are identified as the:

- Bank of the West,
- Cowboy State Bank,
- First Federal Savings Bank,
- First Interstate Bank
- Sheridan State Bank,
- U.S. Bank; and

BE IT RESOLVED, that the Sheridan County Treasurer, or his designated Deputy, is hereby authorized and allowed to invest Sheridan County funds pursuant to W.S. 9-4-831, in approved financial institutions and brokerage houses located within Sheridan County and/or with the Wyoming State Treasurer-WYOSTAR and Wyoming Government Investment Fund. All funds invested must be in the name of "Sheridan County."

BE IT FURTHER RESOLVED, that the State Treasurer and the brokerage houses are not required to apply as depositories to the Board of Sheridan County Commissioners.

BE IT FURTHER RESOLVED, that within 30 days following the adoption of this resolution, the above listed financial institutions shall provide the County Treasurer with a certified copy of a resolution adopted by its board of directors which is substantially in the form provided in W.S. 9-4-806, and available in format recommended by the Deputy County Attorney.

BE IT FURTHER RESOLVED, that this Resolution shall remain in full force and effect for a period of one year or until such time as it may be rescinded or amended.

APPROVED AND ADOPTED this eighteenth day of March, 2008.

BOARD OF COUNTY COMMISSIONERS
Sheridan County, Wyoming
/s/Robert L. Rolston, Chairman

ATTEST:
Sheridan County Clerk
/s/Audrey Koltiska

Acknowledged by Sheridan County Treasurer, /s/Peter C. Carroll

STATE OF WYOMING)
) ss
COUNTY OF SHERIDAN)

On this eighteenth day of March, 2008, before me personally appeared Robert L. Rolston, being first duly sworn, did say that he is the Chairman of the Board of County Commissioners, 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

FREE LANDFILL WEEKENDS

Upon the request of the City of Sheridan for \$10,000 to fund three, free landfill weekends for residents of Sheridan County to participate in spring cleanup, the Board so allocated this amount. The weekends are tentatively scheduled for April 26-27, May 3-4 and May 10-11.

CHILD SUPPORT ENFORCEMENT

The Board authorized the Chairman to execute the Cooperative Agreement between the Wyoming Department of Family Services, Child Support Enforcement Unit and the Sheridan County Clerk of District Court, for a term running from July 1, 2008 through June 30, 2010, in an amount not to exceed \$35,702.40.

FAIR ASSOCIATION

Upon the recommendation of its board of trustees, the Commissioners appointed Bill White of Ranchester to the Sheridan County Fair Association board of trustees, for a term expiring January 7, 2013.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 10:44 a.m.

BOARD OF COUNTY COMMISSIONERS

Sheridan County, Wyoming

Attest:

Robert L. Rolston, Chairman

Audrey Koltiska, County Clerk