

OFFICE OF THE COUNTY COMMISSIONERS
SHERIDAN COUNTY COURTHOUSE, 9 AM
JUNE 20, 2006, SHERIDAN, WYOMING

The Board of County Commissioners of Sheridan County, Wyoming met at the time and place above-mentioned. Members present were Chairman Terry Cram and Commissioner Lawrence A. Durante. Commissioner Ky Dixon was absent. Chairman Cram called the meeting to order and then led everyone in the Pledge of Allegiance.

MINUTES:

The Board approved the Minutes of June 6, 2006 and the Minutes of a special session on June 7, 2006 as written.

AGENDA:

The Board approved the Agenda as published, amended to also consider possible community development block grant applications, funding a feasibility study for Lower Prairie Dog Road, and to set the July Board meeting date.

ANNOUNCEMENTS:

The Board announced that the hearings to consider the FY 2006-2007 budget would be held at 5:30 p.m. on July 17, 2006 and at 9:00 a.m. on July 18, 2006 to officially adopt the budget.

Airport Manager John Stopka presented a framed 75th Anniversary poster of the Sheridan County Airport to the Commissioners, saying an open house or fly-in event would be held next year. He said posters are on sale at the Airport and in the Commission Office, at \$17 for a large print and \$8 for a small print. He also gave the Commissioners small pewter commemorative wing pins.

Commissioner Durante advised that a letter was received from the State Forester urging counties to adopt a fire ban very soon. He said he would like to see the County split into east and west regions this year.

COMMENTS FROM THE PUBLIC:

Janet Hoffman, a member of the SHAC board, said its first "affordable" house was scheduled to be set on its foundation at 42 Canby Street this Thursday about 8:30 a.m. The house is listed at \$155,000.

SHERIDAN COUNTY AIRPORT

Mr. Stopka reported that the FAA could be charged for leasing certain Airport space as a result of an inspection conducted by the FAA. Upon his recommendation, the Board authorized

the Chairman to execute a Small Space Lease for Real Property for Airport terminal office space, Lease No. DTFANM-07-L-00005, at \$7,440 per year, for a term of five years ending September 30, 2011. The Board also authorized the Chairman to execute a Land Lease, No. DTFANM-07-L-00006, at \$555.39 per year, for a term of four years ending September 30, 2010, with an option to extend for five years.

SENATOR WALLOP RECOGNITION

Kendall Hartman and Evie Ebzery presented a conceptual county-city joint resolution asking the support of the County and the City to work toward three projects to recognize Senator Wallop's contributions to our community, which could be read at the "Malcolm Wallop Appreciation Day" event on July 8. The Board approved the resolution, changing the word "will" throughout to "can" and saying that final approval of these projects must include the written approval of the Airport Manager.

A Joint Resolution

Of the Board of Sheridan County Commissioners

And the Mayor of Sheridan and the Sheridan City Council

In Honor of

United States Senator Malcolm Wallop

A Joint Resolution to commemorate Senator Malcolm Wallop's service and dedication to the people of Sheridan County and Wyoming and to proclaim

July 8, 2006 as "Malcolm Wallop Appreciation Day."

BE IT RESOLVED by the Board of Sheridan County Commissioners, the Mayor of Sheridan and the Sheridan City Council:

Whereas, the Honorable Malcolm Wallop has spent his career in public service, including service of eight years in the Wyoming State Legislature, eighteen years in the United States Senate and as a member of the U.S. Army Artillery; and

Whereas, as a United States Senator he worked to preserve and protect the freedoms promised to all our citizens; and

Whereas, he recognized early in his U.S. Senate career the need to prevent Federal 'takings' of private property by sponsoring the 1977 Wallop Amendment of the Surface Mining Control Act. This directed the Federal Government to compensate, through purchase or exchange, owners of mineral rights whose right to mine had been denied by federal regulation of Alluvial Valley Floors. This resulted in the ability of Whitney Benefits Foundation of Sheridan

to claim its lawful right of ownership to mining interests and thereby significantly increase its capital base, and to thereby substantially expand the scope of its work on behalf of Sheridan County and its citizens; and

Whereas, he represents a frontier ranching family whose involvement in and passion for Sheridan and Sheridan County spans nearly 120 years and includes efforts which helped establish the Bighorn National Forest and the creation of Wyoming's Game and Fish laws; and

Whereas, he, his predecessors, and his antecedents represent generations of participation in the Sheridan County economy through ranching and business enterprise; and

Whereas, he has demonstrated the importance of the preservation of our heritage through the first local donation of property to the Nature Conservancy, helping to protect our Big Horn Mountain vistas for the benefit of all; and

Whereas, he has provided unfailing support for the critically important equestrian culture of Sheridan County, both as a breeder of thoroughbred horses and by making his ranch property available for the community's equestrian events; and

Whereas, he and his family have provided generations of support, financial and otherwise, for valued institutions in Sheridan County including, among others, Sheridan County Memorial Hospital, the Big Horn Post Office, the Sheridan County Fulmer Public Library, St. Peter's Episcopal Church and the Sheridan County Airport; and

Whereas, reflective of his lifelong support of volunteerism as a foundation of our society, and his support of private/public sector partnerships, he authored Public Law 96-114, the Congressional Award Act to honor our nation's youth for community service; and

Whereas, he has been widely praised for his authorship of the so-called 'Wallop-Breaux' Sport Fishing Restoration Act, a private/public sector partnership which provides for boating safety and fish habitat conservation.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners, Sheridan County, Wyoming, and the Mayor and members of the City Council of the City of Sheridan, that we do hereby join the Wyoming State Legislature in declaring the Eighth day of July, 2006 as "Malcolm Wallop Appreciation Day".

AND BE IT FURTHER RESOLVED that we, the Board of County Commissioners do hereby direct all relevant County officials and staff to proceed to work with all relevant City of Sheridan officials and staff and the volunteers with the Malcolm Wallop Heritage Project to determine the requirements necessary and the means whereby

prepare a capital improvements plan for Sheridan County, in an amount not to exceed \$116,770.

CARLSON DAYCARE ADDITION CONDITIONAL USE PERMIT; CU-06-003

Chairman Cram opened the public hearing at 9:45 a.m. to receive public comment on an addition to the Carlson Daycare. County Planner Ray Pacheco said the Planning and Zoning Commission recommended approval on May 11. He said the Carlsons have received pre-approval from the State Fire Marshall and the Department of Family Services. No one else spoke to this issue. Commissioner Durante said the Commission office has never received a complaint about the business. The hearing was closed at 9:50 a.m. The Board approved the Conditional Use Permit with the following conditions:

- (1) The permit term shall be for ten years, expiring March 4, 2013.
- (2) Hours of operation shall be limited to Monday through Friday, 6:00 a.m. to 7:00 p.m.
- (3) No additional structures shall be allowed on site for operation of the daycares.
- (4) Any remodeling, reconstruction and/or changes to the home shall require the submittal of construction plans and building permits and inspections by the County Inspector through the County Planning and Engineering Department.
- (5) In order to reduce dust and mud on the road, the applicant shall apply a dust palliative on the road surface from the edge of Coffeen Avenue into the property entrance, to a width of 22 feet.
- (6) Fencing shall be security fencing placed along the front of the property and along the perimeter of the property where there is no fencing. All fencing shall be a minimum height of four feet.
- (7) No change to the existing sign shall be allowed.
- (8) Any lighting for parking and driveways must be turned off at 7:00 p.m. and not turned on until 6:00 a.m.; and shall be sky friendly.

LOWRANCE FIREARM SALES CONDITIONAL USE PERMIT; CU-06-006

Chairman Cram opened the public hearing at 9:53 a.m. for public comment. Mr. Pacheco said this was an application for a home-based business located in an adjacent building to the home. The Planning and Zoning Commission recommended approval of this item on May 11. Mr. Lowrance assured the Board that this would be internet sales only, with no walk-in business or local advertising. No one else spoke to this issue. The hearing was closed at 9:55 a.m. The Board approved the conditional use permit with the following conditions:

1. The conditional use permit shall be effective for a term of five years, expiring June 20, 2011. Continued use shall be by reapplication of the conditional use permit or appropriate zoning process.
2. Hours of operation shall not be limited as long as applicant does not provide retail customer on-site services.
3. Activities shall be limited to commercial deliveries only with no on-site customer retail activities.
4. No new buildings shall be constructed on the site for business activities and none shall be granted without the applicant applying through the conditional use permit process.
5. The existing ingress/egress is acceptable and shall not be altered for reasons pertaining to the proposed business.
6. No signage shall be allowed

STEINHORST REZONE; R-06-001

Chairman Cram opened the public hearing at 9:57 a.m. Mr. Pacheco advised that this was a request to rezone Lot 2 of Broken Acres Subdivision from Agricultural to Urban Residential. The applicants wish to provide living space on the second and third floors of the barn. There was discussion about zoning standards pertaining to the surrounding UR zoning and density. It was suggested that Rural Residential zoning would be more appropriate. Jack Steinhorst stated he has no intention of subdividing his property. No one else spoke to this issue. The hearing was closed at 10:16 a.m. With the agreement of Mr. Steinhorst, the Board approved the Steinhorst Rezone from Agricultural to Rural Residential.

WILD CAT ROAD

The Board approved Right-of-way License 06-27 to Pennaco Energy/Marathon for a bored crossing of Wild Cat Road to install two gas lines, one water line and one electrical line with the following conditions.

1. Licensee shall provide a traffic control plan to the County Engineer for approval prior to construction if there is any construction activity within the County right-of-way.
2. Licensee shall contact County Engineer at least 24-hours prior to construction to request inspections.

GUARDIAN AD LITEM PROGRAM

Business Manager Renee Obermueller reported this program is to provide an attorney for

children in abuse cases. The Board authorized the Chairman to execute the Guardian ad Litem Memorandum of Understanding and Fee Schedule between Sheridan County, the Wyoming Supreme Court and the District Judges Conference, for the term July 1, 2006 through June 30, 2007, at 75% reimbursement costs.

CHILD SUPPORT ENFORCEMENT UNIT

The Board authorized the Chairman to execute the Cooperative Agreement for Responsibilities between the Wyoming Department of Family Services, Child Support Enforcement Unit, and the Clerk of District Court, in an amount not to exceed \$35,702.40.

LIBRARY BOARD

The Board reappointed LuAnn Marks to a three-year term on the Library Board for a term expiring June 30, 2009. Chairman Cram thanked William White for his services as he leaves the Board and appointed Loretta J. Tschirgi of Ranchester for a three-year term, expiring June 30, 2009.

GRANT OPPORTUNITY

As duly advertised, Chairman Cram opened a public hearing at 10:30 a.m. to receive applications for community development block grants through the Wyoming Business Council. There being none, the hearing was closed at 10:31 a.m.

LOWER PRAIRIE DOG ROAD

The Wyoming Department of Transportation has offered to pay 50% of the actual cost of a reconnaissance inspection and report to be conducted to determine the costs to reconstruct the Lower Prairie Dog Road to county paved-road standards. This is estimated to cost \$20,000 or less. Voting its approval, the Commissioners asked Public Works Director Bruce Yates to work with Mark Gillett of WYDOT to prepare an agreement for the Board's consideration. Janet Hoffman inquired whether this work would have been included in the County's Capital Improvement Plan. Due to the unusual circumstances of Lower Prairie Dog Road, the County will share in the WYDOT report, which will then be incorporated into the CIP. Mrs. Obermueller said the County would begin to use the prepared CIP in the 2007-08 fiscal year.

NEXT COMMISSION MEETING

Due to the Fourth of July holiday, the next regular Commission meeting was designated to be July 6, 2006.

RENEW

Upon removing this item from the Table for further consideration, Commissioner Cram

explained that RENEW was applying for grant funds which required a clear title to its present property to which the county retains an interest. Upon approval as to form by the Sheridan County Attorney, the Board conveyed the County's interest in "Lot 5, Block 4, Riverside Industrial Park, First Addition to the City of Sheridan, County of Sheridan, Wyoming" to RENEW in exchange for a mortgage on the property, in the amount of \$233,985, said mortgage to be due and payable if RENEW should move its administrative offices and residential properties out of Sheridan County.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 10:49 a.m.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
Sheridan County, Wyoming

Audrey Koltiska, County Clerk

Terry Cram, Chairman