

MINUTES OF THE BOARD OF SHERIDAN COUNTY COMMISSIONERS

The Board met at 9:00 a.m., February 1, 2011, in regular session at the County Courthouse, Sheridan, Wyoming. Chairman Tom Ringley 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

There being no public comment on the Consent Agenda as read, Commissioner Maier moved to approve the Consent Agenda and authorized the Chairman to sign documents as required. Commissioner Nickel seconded the motion and all voted in favor.

- a. Rescind the Joint Project Agreement approved December 21, 2010, between the City of Sheridan, Sheridan County, and the National Weather Service for stream and rain gauging equipment and Affirm the Revised Joint Project Agreement to change the Equitably Apportioned Cost of equipment covered by the National Weather Service;
- b. Affirm letter of support for Northern Wyoming Mental Health Center, Inc. for providing Substance Abuse Treatment Services for the current year;
- c. Renewal of Official Bond and Oath for Commissioner, Terry Cram, Sheridan County, through January 5, 2015;
- d. Renewal of Official Bond and Oath for Commissioner, Stephen Maier, Sheridan County, through January 1, 2015;
- e. Renewal of Official Bond and Oath for Commissioner, Robert L. Rolston, Sheridan County, through January 5, 2015;
- f. Renewal of Official Bond and Oath for Clerk, Eda Schunk Thompson, Sheridan County, through January 8, 2015;
- g. Renewal of Official Bond and Oath for Sheriff, Dave Wesley Hofmeier, Sheridan County, through January 1, 2012;
- h. Renewal of Official Bond and Oath for Assessor, Paul D. Fall, Sheridan County, through January 5, 2012;
- i. Renewal of Official Bond and Oath for Treasurer, Peter C. Carroll, Sheridan County, through January 1, 2015;
- j. Renewal of Official Bond and Oath for Coroner, Philip James Kane III, Sheridan County, through January 3, 2015;
- k. Renewal of Official Bond and Oath for District Court Clerk, Nickie Arney, Sheridan County, through January 6, 2015;
- l. Partial Release of Mortgage by Woodland Park LLC for Tract 4, Woodland Park Subdivision – Phase One;

- m. Partial Release of Mortgage by Schoney Inc. for Lot 7, Block 4, Woodland Park Subdivision – Phase One, acknowledging payment received of \$21,400.00;
- n. Partial Release of Mortgage by Woodland Park LLC for Lot 13, Block 4, Woodland Park Subdivision – Phase One, acknowledging payment received of \$21,600.00; Assignment of Affordable Housing Agreement from Woodland Park LLC to Excalibur Construction, Inc.;
- o. County Airport vouchers for January;
- p. General County vouchers for January.

JANUARY 2011

INTERIM MID-MONTH WARRANTS

VENDOR	AMOUNT	DESCRIPTION
ACT INC	\$3,333.33	PHONE SVC
ALLTEL	\$69.34	CELL PHONE SVC
AMERICAN CANCER SOCIETY	\$50.00	MEMORIAL
AMERICAN FAMILY LIFE INS	\$1,400.08	PREMIUM
BIG HORN CNTY ELECTRIC CO-OP	\$78.97	UTILITIES
CHARLES W BASSETT	\$4,691.84	LEASE PMTS
CHEMICAL TESTING PROGRAM	\$237.00	BLOOD KITS
CIT-CO FEDERAL CREDIT UNION	\$4,577.60	MONTHLY PAYROLL TRANSFERS
CITY OF SHERIDAN	\$569.55	UTILITIES
CULP, ANNE	\$122.36	EXPENSE REIMB
DELTA DENTAL	\$8,260.40	PREMIUM
DEX MEDIA WEST	\$29.20	ADVERTISING
DOCKERY, ROBIN	\$25.80	EXPENSE REIMB
EBMS	\$1,835.01	FLEX PLAN
FRY CONSTRUCTION	\$46,954.00	1st FLOOR CRTHSE CORRIDOR REMODEL
GEORGETOWN ARCP	\$75.00	ARCP
GREAT AMERICA NETWORKS	\$27.57	CONF CALLING
HOME DEPOT	\$37.36	SUP
ICMA RETIREMENT TRUST	\$4,307.39	JANUARY
MONTANA DAKOTA UTILITIES	\$14,409.40	UTILITIES
NATIONAL BUSINESS SYSTEMS	\$1,000.00	MVR POSTCARDS
NCPERS GROUP LIFE INS	\$416.00	PRUDENTIAL LIFE
ORCHARD TRUST	\$4,981.78	WYO DEFERRED COMP
POWDER RIVER ENERGY CORP	\$75.73	UTILITIES
QWEST	\$4,749.36	PHONE SVC
RANGE TELEPHONE CO-OP	\$364.26	PHONE SVC
SANOFI PASTEUR INC	\$515.53	VACCINES
SHERIDAN AREA WATER SUPPLY	\$153.60	UTILITIES
SHERIDAN CHAMBER OF COMMERCE	\$41.00	CHAMBER BUCKS
SHERIDAN CNTY COMMISSIONERS	\$170.04	SUPPLIES
SHERIDAN CNTY TREAS HEALTH INS	\$121,934.00	HEALTH INS/FLEX PLAN FEE
SHERIDAN CNTY TREAS PAYROLL TAX	\$118,242.43	941
STAPLES ADVANTAGE	\$1,080.27	SUP
SWANSON SERVICES CORP	\$2,105.34	COMMISSARY ORDERS
THE EAR PHONE CONNECTION	\$464.15	MICROPHONES
THOMPSON, PATTY	\$50.00	MEMORIAL
TOWN OF CLEARMONT	\$64.00	UTILITIES
UNITED LIFE INSURANCE CO	\$1,422.78	JANUARY
US BANK CORPORATE REAL ESTATE	\$750.00	OFFICE RENT
VERIZON WIRELESS	\$1,710.95	CELL PHONE SVC
VINE, AMBER	\$61.93	MEALS REIMB
WALMART COMMUNITY	\$59.97	SUPPLIES
WRIGHT EXPRESS	\$8,396.56	FUEL
WYDOT	\$5.00	EXEMPT PLATE
WYO CHILD SUPPORT ENFORCEMENT	\$140.00	MONTHLY CHILD SUPPORT
WYO RETIREMENT SYSTEM	\$72,899.26	JANUARY
WYO WORKERS COMPENSATION DIV	\$7,282.97	JANUARY

TOTAL MID-MONTH INTERIM WARRANTS PAID \$440,228.11

GENERAL COUNTY WARRANTS

A & M SERVICE & SUP	\$45.00	REPAIR
A PLUS PLUMBERS	\$300.00	PLUMBING
AMERICAN WELDING & GAS	\$22.07	SUPPLIES
ANDERSON, NATHAN	\$15.90	TUBES
ATKINSON, ANNA	\$52.00	MILEAGE
ATTORNEYS AT LAW OF WYO	\$183.75	LEGAL
BENNICK, CONNIE	\$58.29	CLTHG ALLOW
BIG HORN HEALTH NETWORK	\$4,084.50	INVOL HOSP
BIG HORN RADIOLOGY	\$490.00	INVOL HOSP
BIGHORN DESIGN	\$218.00	SHIRTS
BLIZZARD BLADE LLC	\$653.45	BLADES
BLUEMEL PLUMBING & HTG	\$1,285.00	PLUMBING
BOB BARKER CO	\$640.44	SUPPLIES
BOBS PEST CONTROL	\$35.00	SERVICE
CARQUEST AUTO PARTS	\$242.76	PARTS
CARR, THOMAS	\$1,000.00	LEASE PMT
CARTRIDGE WORLD	\$102.91	CRTDGS
CBM FOOD SERVICE	\$14,671.67	INMATE MEALS
CDW GOVERNMENT	\$263.26	SUPPLIES
CED INC	\$135.69	SUPPLIES
CHAMPION FERRIES FUNERAL HOME	\$535.00	SERVICES
CITY LANDFILL	\$7,567.00	DEBRIS
CITY OF SHERIDAN	\$25,827.24	FLOOD NOTIFICATION NETWK PLAN
COLLINS COMMUNICATIONS	\$1,722.25	DATA DROP, INTERNET
		SUPPORT, TRAINING, WEBHOST FEE,
COMPUTER SOFTWARE ASSOC	\$32,069.30	SUP
COMTRONIX	\$324.00	ALARM MONITORING
COUNTRY HOSPITAL FOR ANIMALS	\$110.00	EXAM
CULLIGAN OF SHERIDAN	\$58.00	WATER
CUNDIFF, SHELLEY	\$2,990.00	LEGAL
DCM CONSTRUCTION	\$4,839.56	CONTRACT WORK
DRIVE TRAIN INDUSTRIES	\$142.12	PARTS
EAST RIDGE TOWING	\$35.00	TOWING
ED HAMMER INC	\$1,352.13	REPAIRS
EMERGENCY COMMUNICATIONS NETWORK	\$5,000.00	CODE RED SVCS
EMI FILTRATION PRODUCTS	\$264.60	FILTERS
ENTECH INC	\$42,382.00	ENGINEERING
FALL, PAUL	\$30.54	MEALS
FARMERS CO-OP	\$16.90	FLTRS
FASTENAL	\$661.91	PARTS
FECK, SUSAN	\$54.50	MILEAGE
FERRIES, MARK	\$150.00	CORONER
GALLS	\$82.99	JACKETS
GAMMEL, CASSANDRA	\$15.50	MILEAGE
GERI HARPER, OFFICIAL CRT RPTR	\$217.75	TRANSCRIPT
GRAINGER INC	\$300.08	PARTS
HARNISH, AMY	\$98.00	MENDING
HEALY LAW FIRM	\$375.00	LEGAL
HEARTLAND PAPER CO	\$20.16	MOPS
HEMOCUE INC	\$410.00	ANAYLZER
HUB INTL MOUNTAIN STATES	\$340.00	BOND
HYDROTEX	\$751.62	SUPPLIES
JACKS AUTO BODY SPECIALISTS	\$849.29	BODYWORK
JACKS TRUCK & EQUIPMENT	\$390.86	PARTS
KANE FUNERAL HOME	\$950.15	SUPPLIES
KENNA O'FLANNIGAN, OFFICIAL CRT RPTR	\$62.50	TRANSCRIPT
KINNAIRD LAW OFFICE	\$1,222.50	LEGAL
KLEPPERICH, JACQUELYN	\$62.90	MILEAGE, REIMB
KNECHT HOME CENTER	\$1,409.75	SUPPLIES
KREISERS INC	\$83.62	SUPPLIES
LJ WRIGHT IRONWORKS & DESIGN	\$648.00	STUMP REMOVAL
LANNANS SUPPLY CO	\$266.66	SUPPLIES
LEGERSKI, CARRIE	\$19.00	MILEAGE

LIBERTY ENVIRONMENTAL	\$920.00	TESTING
LIND, JERRICA	\$46.72	EXP REIMB
LITTLE AMERICA	\$2,243.16	LODGING, MEALS
LOWE ROOFING	\$175.00	ROOF REPAIR
MASTERCARD	\$3,961.88	JANUARY
MDE INC	\$385.00	SOFTWARE MAINT
MEDICARE REFUNDS	\$386.64	IMMUNIZATIONS REFUND
MEMORIAL HOSPITAL	\$72,871.44	FIXED COST PMT, INVOL HOSP
MIKES ELECTRIC INC	\$2,047.26	ELEC WORK
MULLINAX	\$1,060.26	GATE
MURPHY, RAY	\$90.00	CONT LABOR
NADA APPRAISAL GUIDES	\$211.00	GUIDES
NAPA AUTO PARTS	\$503.96	PARTS
NATIONAL 4-H COUNCIL	\$97.16	SUPPLIES
NATIONAL ACADEMIES OF EMERGENCY DISPATCH	\$50.00	CERT
NEILL, BOB	\$507.00	TRANSCRIPT
NORCO	\$738.54	SUPPLIES
NORMONT EQUIPMENT CO	\$1,297.00	PARTS
OFFICE OF THE STATE PUBLIC DEFENDER	\$3,968.90	GAL
ONE-CALL OF WYOMING	\$146.00	MEMBERSHIP
OREILLY AUTOMOTIVE	\$288.01	SUPPLIES
PAETEC	\$24.46	PHONE SVC
PENNINGTON COUNTY SHERIFF	\$33.44	PROCESS SERVE
PETERBILT OF WYO	\$323.59	TANKS
PILCH ENGINEERING	\$2,295.00	ENGINEERING
PLAINS TIRE CO	\$521.58	TIRES
PLAINSMAN PRINTING	\$1,861.50	PRINTING
PORTER MUIRHEAD CORNIA & HOWARD	\$40,000.00	FIN STMT AUDIT SCMH FOUNDATION
POWDER RIVER HTG & AIR COND	\$487.50	REBUILD PUMP
POWDER RIVER POWER	\$50.38	SUPPLIES
PREDATOR MGMT DIST OF SHERIDAN CNTY	\$2,700.00	TRAPPER EXP REIMB
PRESTFELDT SURVEYING	\$718.20	SURVEYING
PRILL BROTHERS INC	\$1,095.50	SERVICE
PTOLEMY DATA SYSTEMS	\$9,964.41	SERVER, CAMERA, SUPPLIES
Q BUSINESS SOURCE	\$180.97	FORMS
QUIK SAK	\$18.22	FUEL
QUILL CORP	\$82.98	SUPPLIES
RANCHHAND FENCING	\$2,869.05	FENCING
REDLE, MATTHEW	\$181.00	MILEAGE
RIVERSIDE PAINT & BODY	\$411.45	BODYWORK
ROETECH INC	\$320.50	TESTING
SCHONENBACH, KATHIE	\$97.50	MILEAGE
SERVALL UNIFORM & LINEN SUP	\$38.39	TOWELS
SHERIDAN ACE HARDWARE	\$27.86	SUPPLIES
SHERIDAN CNTY AIRPORT	\$13,700.00	FIXED COST, LEASE
SHERIDAN CNTY FAIR ASSN	\$35,416.67	FIXED COST PMT
SHERIDAN CNTY FULMER PUBLIC LIBRARY	\$86,666.67	FIXED COST PMT
SHERIDAN CNTY PUBLIC HLTH-PETTY CASH	\$25.85	SUPPLIES
SHERIDAN CNTY SEARCH & RESCUE	\$25,340.27	FOREST RESERVE FUNDING
SHERIDAN CNTY SHERIFF	\$50.00	FINGERPRINT
SHERIDAN COMMERCIAL CO	\$357.38	SUPPLIES
SHERIDAN COMPUTER INC	\$172.45	REPAIR
SHERIDAN ELECTRONICS	\$39.98	JUMP DRIVES
SHERIDAN FIRE EQUIPMENT	\$31.00	MAINT
SHERIDAN INTERNAL MEDICINE	\$486.00	INVOL HOSP
SHERIDAN IRON WORKS	\$178.36	MATERIAL
SHERIDAN MEDIA	\$196.00	ADVERTISING
SHERIDAN MOTOR	\$578.23	REPAIRS
SHERIDAN PRESS	\$2,782.50	ADVERTISING
SHERIDAN SEED	\$117.50	SEEDS
SHIPTONS BIG R	\$152.52	SUPPLIES
SMITH, LYNN	\$60.31	MEALS
SOLVE IT INC	\$740.00	IT SERVICE
SOURCE OFFICE PRODUCTS	\$554.33	SUPPLIES
SPAHN, BOBBIE	\$359.00	MILEAGE

SPEARFISH AMBULANCE SVC	\$9.00	CPR CARDS
STRAHAN & ASSOCIATES PC	\$369.67	SCREENING, HLTH OFFICER
SWANSON SERVICES CORP	\$983.15	COMMISSARY ORDERS
SYSCO FOOD SERVICES	\$291.50	SUPPLIES
TERRY, SUSAN	\$328.20	EXP REIMB
THE BIG HORN MOUNTAIN RADIO NETWORK	\$200.00	ADVERTISING
THE OFFICE COPY SHOP	\$1,294.12	MANUALS
THE TROPHY CASE	\$70.00	NAME TAGS
THOMAS L BENNETT MD	\$5,180.00	AUTOPSIES
THOMSON PUBLICATIONS	\$328.50	HANDBOOK
TIRE-RAMA	\$132.45	REPAIRS
TOP OFFICE PRODUCTS	\$24,050.13	FILING SYS, COPY CHGS, SUPPLIES
TRACKER SOFTWARE CORP	\$385.00	SUPPORT
TRICOUNTY GAS	\$997.50	PROPANE
TSP INC	\$1,905.35	ENGINEERING
VALLEY MOTOR HONDA	\$100.21	SUPPLIES
VALLEY MOTOR LEASING	\$1,535.16	LEASE PMTS
VALLEY TREE SURGEONS	\$1,935.00	TREE RMVL
VISTA WEST ENGINEERING	\$19,385.79	ENGINEERING
WPCI	\$28.50	SCREENING
WAREHOUSE MARKET	\$595.24	SUPPLIES
WAY OIL CO	\$505.48	PWR SVC, FUEL
WENCKUS, JEFFREY	\$482.43	CONTRACT WORK
WEST PAYMENT CENTER	\$1,630.43	INFO CHGS
WILLIAMSON, WANDA	\$176.50	MILEAGE
WILLIS, KENTZ	\$210.00	DUES
WY DEPT OF ENVIRONMENTAL QUALITY	\$100.00	PERMIT
WYDOT	\$352.89	LABOR, OVERHEAD
WYO COUNTY COMMISSIONERS ASSN	\$100.00	WILDLANDS
WYO DEPT OF HEALTH	\$31,309.91	PAYROLL, SUPPLIES
WYO ELECTRIC INC	\$87.49	REPAIR
WYO MACHINERY CO	\$2,000.32	PARTS
GENERAL COUNTY WARRANTS	\$580,571.42	
AIRPORT WARRANTS		
A PLUS PLUMBERS	\$6,715.00	PLUMBING
ALLTEL	\$44.61	CELL PHONE SVC
ALPINE CLIMATE CONTROL	\$304.00	REPAIR HEATING
AMERICAN WELDING	\$77.40	MATERIAL
BLOEDORN LUMBER	\$10.03	REBAR
BRESNAN COMMUNICATIONS	\$265.88	PHONE SVC
BURGESS DESIGN GROUP	\$660.00	BROCHURE, CARDS
CIRCLE S SANITATION	\$168.00	TRASH
CITY OF SHERIDAN	\$225.53	UTILITIES
COMTRONIX	\$105.00	ALARM MONITOR
DEPT OF ENVIRONMENTAL QUALITY	\$100.00	FEE
DOUGLAS PORTABLE TOILETS	\$99.00	PORT TOILETS
FARMERS COOP	\$6,550.38	FUEL
FASTENAL	\$4.42	PARTS
HEARTLAND KUBOTA	\$642.85	PARTS
HOME DEPOT	\$185.49	SUPPLIES
INDUSTRIAL TOWEL	\$27.56	TOWELS
KB COMMERCIAL PRODUCTS	\$417.19	SUPPLIES
MASTERCARD	\$721.22	JANUARY
MODERN ELECTRIC CO	\$68.00	REPAIR HEATER
MONTANA DAKOTA UTILITIES	\$5,584.17	UTILITIES
NAPA AUTO PARTS	\$292.77	PARTS
NORCO	\$383.48	SUPPLIES
POWDER RIVER HTG & AC	\$72.50	THERMOSTAT
POWDER RIVER POWER	\$81.63	PARTS
PTOLEMY	\$699.00	IT SERVICE
SHERIDAN CNTY AIRPORT PETTY CASH	\$50.00	REFUND
POSTMASTER	\$108.00	POSTAGE
SHERIDAN PRINTING	\$205.00	RECEIPTS
SOUCE OFFICE PRODUCTS	\$128.96	SUPPLIES

STRAHAN & ASSOC	\$38.00	SCREENING
TINA JO SMITH	\$46.75	MILEAGE
TOP OFFICE PRODUCTS	\$179.98	SUPPLIES
TRANSAFE TECHNOLOGY	\$355.00	RECALIBRATION
VISTA WEST	\$1,982.44	ENGINEERING
WALMART	\$51.76	DECEMBER
WAY OIL	\$563.75	FLUID
WYOMING BANK & TRUST	\$16,432.35	BOND PMT
TOTAL AIRPORT WARRANTS	\$44,647.10	

MINUTES

Commissioner Cram made a motion to approve the Minutes from January 25, 2011 Special Session as published, Commissioner Nickel seconded the motion and all Commissioners voted in favor.

AGENDA

Commissioner Nickel made a motion to approve the agenda as published, Commissioner Maier seconded the motion and all Commissioners voted in favor.

ANNOUNCEMENTS

Chairman Ringley recognized the following employees: Bill Hamby for 20 years of service in the Sheriff's Office; and Brenda Miech for 20 years of service in the Election's Office. Each employee received a certificate of appreciation and \$20 in Chamber Bucks.

PUBLIC COMMENTS

Attorney Brendon Kerns, representing landowner Kimberly Michaelis, presented a request to lower the speed limit on a portion of Murphy Gulch Road, County Road 147. The Board will take this request under advisement.

SC11-01: ROADWAY WAIVER APPEAL

Chairman Ringley opened a public hearing at 9:11 a.m. to consider an Appeal to the Denial for a Public Roadway Waiver Request for the Miller Subdivision. Ken Muller, County Engineer explained the criteria for granting a roadway waiver. Todd Kelly from Sanderson Stewart spoke on behalf of Stephen and Sarah Miller and answered questions from the Commissioners. Chairman Ringley closed the Public Hearing at 9:18 a.m. Commissioner Cram made a motion to affirm the decision of the County Engineer denying a Public Roadway Waiver Request for the Miller Subdivision. Commissioner Rolston seconded the motion. Commissioners Cram, Maier, Nickel, and Rolston voted in favor of the motion; Commissioner Ringley in opposition.

CORONER GRANT

Following a staff report by Dave Coleman, Emergency Management Coordinator, Commissioner Rolston moved to accept the grant award and authorize the Chairman to sign the Agreement with the Office of Homeland Security to receive Law Enforcement and Terrorism Prevention Activities funding for the County Coroner's Office, in the amount of \$6,433, term from August 1, 2010 through April 30, 2013. Commissioner Maier seconded the motion and all Commissioners voted in favor.

BID AWARD

Following a staff report by Mike Mackey, Grants Administrator, Commissioner Maier made a motion to approve and authorize the Chairman to sign documents for award of the Eaton Ranch Wildland Fire Breaks Project to CNZ Corporation of Big Horn in the amount of \$82,000 upon the Deputy

County Attorney's review and approval of those documents. Commissioner Rolston seconded the motion and all Commissioners voted in favor.

RESOLUTION 11-01-002

RESOLUTION 11-01-002

WHEREAS: There is a need to fog seal, crack seal, and restripe Runway 5/23; and
WHEREAS: The Wyoming Department of Transportation, Aeronautics Division, provides financial assistance to local governmental agencies for airport improvements; and
WHEREAS: The matching funds being requested under this application will be used in conjunction with Sheridan County funds that are available.
NOW THEREFORE BE IT RESOLVED that the Sheridan Board of County Commissioners approve the filing of a grant application to the Wyoming Department of Transportation, Aeronautics Division, for financial aid and authorizes the Chairman to sign the application.
APPROVED AND ADOPTED THIS 1st day of February 2011.
BOARD OF COUNTY COMMISSIONERS
Sheridan County, Wyoming

ATTEST:

/s/Tom Ringley, Chairman

/s/ Eda S. Thompson, County Clerk

Following a staff report by John Stopka, Airport Manager, Commissioner Rolston moved to approve and authorized the Chairman to sign Resolution 11-01-002 and submittal of the State Grant Application in the amount of \$138,400 for the Fog seal, Crack seal, and Restripe Runway 5/23 project. The funds will be matched with \$34,600 from local airport funds. Commissioner Maier seconded the motion and all Commissioners voted in favor.

RESOLUTION 11-01-003

RESOLUTION 11-01-003

WHEREAS: There is a need for the purchase of Supplemental Weather Instrumentation; and
WHEREAS: The Wyoming Department of Transportation, Aeronautics Division, provides financial assistance to local governmental agencies for airport improvements; and
WHEREAS: The matching funds being requested under this application will be used in conjunction with Sheridan County funds that are available.
NOW THEREFORE BE IT RESOLVED that the Sheridan Board of County Commissioners approve the filing of a grant application to the Wyoming Department of Transportation, Aeronautics Division, for financial aid and authorizes the Chairman to sign the application.
APPROVED AND ADOPTED THIS 1st day of February 2011.
BOARD OF COUNTY COMMISSIONERS
Sheridan County, Wyoming

ATTEST:

/s/Tom Ringley, Chairman

/s/Eda S. Thompson, County Clerk

Following a staff report by John Stopka, Airport Manager, Commissioner Nickel made a motion to approve and authorize the Chairman to sign Resolution 11-01-003 and submittal of the State Grant Application in the amount of \$3,120 matched with \$780 of local funds for Supplemental Weather Instrumentation. Commissioner Maier seconded the motion and all Commissioners voted in favor.

RESOLUTION 11-01-004

RESOLUTION 11-01-004

WHEREAS: There is a need to Rehab Taxiway B, Upgrade Guidance Signs, and Lighting Regulator Upgrade; and
WHEREAS: The Federal Aviation Administration and the Wyoming Department of Transportation, Aeronautics Division, provides financial assistance to local governmental agencies for airport improvements; and
WHEREAS: The matching funds being requested under this application will be used in conjunction with Sheridan County funds that are available.

NOW THEREFORE BE IT RESOLVED that the Sheridan Board of County Commissioners approve the filing of a grant application to the Wyoming Department of Transportation, Aeronautics Division, for financial aid and authorizes the Chairman to sign the application.

APPROVED AND ADOPTED THIS 1st day of February 2011.

BOARD OF COUNTY COMMISSIONERS

Sheridan County, Wyoming

ATTEST:

/s/Tom Ringley, Chairman

/s/Eda S. Thompson, County Clerk

Following a staff report by John Stopka, Airport Manager, Commissioner Maier made a motion to approve and authorize the Chairman to sign Resolution 11-01-004 and submittal of the State Grant Application in the amount of \$94,737 and Federal Grant Application in the amount of \$3,000,000 to be matched with \$63,158 of local funds for Rehab of Taxiway B, Upgrade of Airfield Regulators.

Commissioner Rolston seconded the motion and all Commissioners voted in favor.

Q-11-001 BLACK MOUNTAIN QUARRY (TIE CREEK PIT)

Chairman Ringley opened a Public Hearing at 9:40 a.m. and called on Robin DeBolt, Land Development Coordinator for her staff report. There were no public comments. Jerry Buckley representing WYDOT was present to answer questions. The hearing was closed at 9:43 a.m.

Commissioner Nickel made a motion to approve Item Q-11-001: State Lands – Black Mountain Quarry (Tie Creek Pit), permitting the continued operation of a 5.5 acre quarry with the following conditions:

1. Dust control on haul roads, stockpiles and work areas, as needed, as required in accordance with requirements of the County Engineer and Section 25 of the Rules and Regulations Governing Zoning in Sheridan County.
2. The permit shall be effective for **7 years**, beginning from the day of approval by the BOCC.
3. Hours of operation are Monday-Saturday 8:00 a.m. to 6:00 p.m., and no hours of operation on Sunday.
4. Screening and/or crushing at the site shall be permitted.
5. No signage shall be permitted other than required permit signage by DEQ.
6. The applicant shall stake out the 5.5 acre parcel within 60 days of approval of this permit by the BOCC and submit a letter to the Planning staff stating the site has been staked.
7. Should the owner sell the property; the new owner(s) shall contact the Sheridan County Public Works office as to the change in ownership and to receive a copy of the conditions of the quarry permit.

Commissioner Rolston seconded the motion and all Commissioners voted in favor. Chairman Ringley stated the Board will issue Findings of Fact Conclusions of Law supporting its decision.

PP-11-001: SPEAR G PRELIMINARY PLAT WITH ROAD WAIVER REQUEST

Following a staff report by Robin DeBolt, Land Development Coordinator, Commissioner Rolston made a motion to approve item PP-11-001: Spear G Preliminary Plat with Road Waiver Request, creating a 3 lot subdivision, with the following conditions:

1. Should the final plat be approved, the applicants shall relocate the existing two structures that will not comply with the 20 foot setback requirement and submit a revised site plan to the County Planning Office showing the revised setbacks prior to Sheridan County signing the final plat.

2. Should the final plat be approved, the applicants shall enter into a subdivision agreement with Sheridan County, stating the means of guaranty the applicants wish to use for street and utility improvements.
3. A private access and cul-de-sac drive design shall be approved by the County Engineer complying with Sheridan County's subdivision road standards as part of the final plat process, and the subdivider shall construct said drive upon final plat approval.
4. The applicants shall have 24 months from the date of action of the Preliminary Plat to submit a complete application for a Final Plat. In the event the Subdivider does not submit a complete Final Plat application within the 24-month period, the Preliminary Plat approval shall be void.

Commissioner Cram seconded the motion and all Commissioners voted in favor.

CU-11-001: BINO'S WHOLESALE FACILITY CUP

Chairman Ringley opened a public hearing at 9:53 a.m. Robin DeBolt, Land Development Coordinator presented her staff report. There were no public comments or comments from applicants Rebecca and Jerry Reimers. Chairman Ringley closed the Public Hearing at 9:56 a.m. Commissioner Cram made a motion to approve item CU-11-001: Bino's Wholesale Facility CUP, permitting the use of up to 1 acre of the 16.60 acre parcel for a wholesale and distribution business for groceries, tobacco, cleaning supplies, and paper products with the following conditions:

1. With the exception of an office located in the residence, the wholesale and distribution business shall be limited to operate within the 19 ft wide by 28 ft long log structure.
2. The applicants shall apply for and receive a Sheridan County Zoning Permit for the change in use and pay all fees associated with the permit.
3. Structure modifications or additions to the existing structure shall require a building permit and may require amending the original CUP.
4. Additional structures shall require amending the original CUP.
5. No overnight or permanent storage of merchandise, boxes, and/or crates outside the structure shall be permitted other than during hours of operation.
6. No parking on Upper Prairie Dog Road (CR #127) shall be permitted.
7. The applicant shall stake out the 1.0 acre site within 60 days of approval by the BOCC and submit an updated site plan to the Planning Office that shows the 1.0 acres on the 16.60 acre parcel.
8. Hours of operation shall be limited to Monday through Friday, 7:00 a.m. to 5:00 p.m. and Saturday, 7:00 a.m. to 1:00 p.m.
9. No signage shall be added to the site for the wholesale and distribution business. Any new exterior lighting shall be shielded to prevent direct glare to adjoining properties or public rights-of-way.
10. Should the owners sell the property; the new owner(s) shall contact the Sheridan County Public Works office as to the change in ownership and to receive a copy of the conditions of the CUP.
11. Should the site cease to be used for a wholesale and distribution business for groceries, tobacco, cleaning supplies and paper products, the site shall be reclaimed by the applicant within one year removing all items relating to the wholesale business with the exception of the log structure.

Commissioner Rolston seconded the motion and all Commissioners voted in favor. Chairman Ringley advised the Board will issue Findings of Fact Conclusions of Law supporting its decision.

VICTORIA ST RIGHT-OF-WAY

Following a staff report by Ken Muller, County Engineer, Commissioner Nickel made a motion to accept and authorize the Chairman to sign the Quitclaim Deed from the City of Sheridan to Sheridan County for Victoria Street Right-of-Way. Commissioner Rolston seconded the motion and all Commissioners voted in favor.

LIQUOR DEALERS

Commissioner Maier made a motion to approve extended hours of business for the Sheridan County Liquor Dealers Association as follows: February 19, July 2, October 29, and December 31, 2011. Commissioner Rolston seconded the motion and all Commissioners voted in favor.

RESOLUTION 11-01-001

RESOLUTION 11-01-001

NOTICE OF SHERIDAN COUNTY'S INTENT TO ADOPT ANIMAL NUISANCE RULES AND REGULATIONS, SHERIDAN COUNTY, WYOMING

WHEREAS, Wyoming Statutes §§ 11-31-301 authorize Sheridan County to enact regulations necessary and convenient for animal control in unincorporated Sheridan County; and

WHEREAS, Pursuant to Wyoming Statutes §§ 16-3-101 et seq., the Board of County Commissioners ("Board") hereby gives notice of their intent to adopt *Animal Nuisance Rules and Regulations, Sheridan County, Wyoming*; and

WHEREAS, it is the desire of the Board to repeal the *Dog Ordinance* adopted by the Board on March 1, 1982;

WHEREAS, it is the desire of the Board to adopt the *Animal Nuisance Rules and Regulations, Sheridan County, Wyoming* to reflect recent Wyoming statutory changes; and

WHEREAS, the Board intends to rescind the *Dog Ordinance* adopted March 1, 1982 in its entirety; **and**

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

WHEREAS, the *Animal Nuisance Rules and Regulations, Sheridan County, Wyoming* are set out in their entirety in Exhibit A attached hereto.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF SHERIDAN COUNTY, WYOMING, that notice is hereby given that Sheridan County intends to adopt the *Animal Nuisance Rules and Regulations, Sheridan County, Wyoming* and to rescind the *Dog Ordinance* adopted March 1, 1982; that copies of the *Animal Nuisance Rules and Regulations, Sheridan County, Wyoming* may be obtained from the Sheridan County Commissioners' Office at 224 S. Main Street, Suite B-1, Sheridan WY; that all interested persons shall submit written comments to the Sheridan County Commissioners, 224 S. Main Street, Suite B1, Sheridan WY 82801, no later than 5 p.m. on March 30, 2011; that there shall be a public hearing on April 5, 2011 at a regular meeting of the Board of County Commissioners commencing at 9:00 a.m. or as soon thereafter as practicable in the Commissioners Board Room, second floor of the County Courthouse, Sheridan Wyoming; and that this Resolution shall be published in the Sheridan Press at least 45 days prior to the public hearing.

DATED this ____ day of _____ 2011.

BOARD OF COUNTY COMMISSIONERS

Sheridan County, Wyoming
/s/Tom Ringley, Chairman

Attest:
/s/Eda Thompson, County Clerk

ANIMAL NUISANCE RULES AND REGULATIONS SHERIDAN COUNTY, WYOMING

Section 1. AUTHORITY

(a) The Board of County Commissioners of Sheridan County are authorized to enact these Rules and Regulations pursuant to W.S. 11-31-301 et seq. and W.S. 16-3-101 et seq.

(b) These Rules and Regulations shall become effective upon filing with the Sheridan County Clerk

Section 2. PURPOSE

These Rules and Regulations are enacted to establish procedures to regulate and control Animals within Sheridan County, Wyoming.

Section 3. DEFINITIONS

For the purpose of these Rules and Regulations the following definitions shall apply:

- (a) "Animal" means any dog, or bovine or ruminant creature including but not limited to cattle, domesticated buffalo, domesticated elk, llama, kudu or horse, mule, ass, sheep, swine or goat;
- (b) "Big game animal" means antelope, bighorn sheep, deer, elk, moose or mountain goat;
- (c) "Livestock" means horses, mules, cattle, swine, sheep, ruminants, llamas, goats and bison;
- (d) "At large" means to run beyond the control of an animal's owner or caretaker and off of lands owned, leased or otherwise possessed by the animal's owner;
- (e) "Owner" means the owner or caretaker of any animal including the agents and employees of corporations;
- (f) "Within Sheridan County" means outside the corporate limits of any city or town within Sheridan County but within the boundaries of Sheridan County.

Section 4. ANIMAL CONTROL AND ENFORCEMENT

- (a) It is unlawful for the owner of any "animal" to allow such animal to run at large within Sheridan County. Any owner who permits or causes such animals to run at large within Sheridan County, is liable for damages incurred by any person by reason thereof in a civil action.
- (b) Any person violating subsection (a) of this section may be fined not less than ten dollars (\$10.00) or more than two hundred fifty dollars (\$250.00) for each offense.
- (c) Any owner of any animal which breaches into any lawful enclosure belonging to someone other than the owner of the animal, is liable to the party sustaining the injury for all damages sustained by reason of such breaching. Damages may be recovered in a civil action before any court having jurisdiction, or by arbitration, each party to select a property holder and the two (2) arbitrators to select a third. The arbitrators shall be sworn before a judge of a circuit court before entering upon their duties. The arbitrators shall carefully examine the fence and assess the damage done, examine witnesses under oath, one (1) of them to administer the oath to the witnesses, and make a written report signed by at least two (2) of the arbitrators, to the circuit court in the county in which the damage is sustained. The finding of the arbitration, as provided for in this section, shall within three (3) days after rendered, be filed with a judge of a circuit court in the county where the trespass was committed, who shall enter the cost upon his docket and proceed to issue execution therein as in other cases originally commenced before him.
- (d) Under (a) or (c), the party sustaining the damage shall notify the owner of the damage and the probable amount if he knows to whom the animals belong and if the owner within the county where the damage was committed.
- (e) Under (a) or (c), the party suffering damage may restrain and keep in custody as many of the offending animals as are equal in value to the damage done, until the finding of the court or arbitration is ascertained, unless before suit the amount of his claim and expense of keeping the animals is tendered to him.
- (f) If, upon trial of any action under subsection (c) of this section, it appears the damaged party's enclosure is a lawful fence, he shall be allowed to prove the amount of damage sustained and if he has retained in custody the animals committing the damage, the amount of expense incurred for keeping the animals. Any judgment rendered for damages, costs and expenses against the defendant shall be a lien upon the animals committing the damage. If it appears upon trial that the damaged party's enclosure is not a lawful fence or that no damage was sustained, judgment shall be rendered against the damaged party for costs of suit and damages sustained by defendant.
- (g) If, under subsection (c) and upon trial it appears the defendant is not the owner or person in charge of the offending animals, he shall be discharged from the action with his costs, and the suit may proceed against a defendant whose name is unknown. If, at the commencement of the action, the plaintiff does not know the name of the owner or keeper of the offending animals, he may bring suit against a defendant unknown, provided notice to such unknown owner is made by publication as provided by rule.

- (h) Dogs and cats are personal property and the subject of larceny or property destruction the same as other personal property. The value in any civil or criminal prosecution shall be determined as in other cases.
- (i) The owner of any animal running at large is liable for all damages that accrue to any person, firm or corporation by reason of the animal killing, wounding, or causing injury or damage to any animal or property belonging to a person, firm or corporation whose animal is not running at large or who was driven from land owned or possessed by its owner by such animals running at large. If two (2) or more animals owned by different owners kill, wound, injure or damage any animal the property of another, the persons are jointly and severally liable for all damage done by the animals. Any person who harbors about his premises the offending animal for twenty (20) days shall be taken and held as the owner and is liable for all damages that the animal commits.
- (j) Dogs or other animals running livestock against the wish of the owner of the livestock may be killed at once in cases where the livestock has been injured or is threatened with injury. The person killing any dog running livestock is not liable to the owner where the vicious character of the dog or the damage or danger of damage is shown. When livestock is trespassing upon property the property owner may use dogs to drive and keep off livestock from the property.
- (k) Any person who permits or directs any dog or other animal owned by him or in his possession or in the possession of his employee to chase or run any livestock of which he is not the owner and of which he is not in control, farther than one hundred (100) yards from his land, upon government lands, or away from any watering place upon the open range, shall be fined not less than fifty dollars (\$50.00) or more than seven hundred fifty dollars (\$750.00), or imprisoned not more than six (6) months, or both.
- (l) In cases where big game animals have been injured or are being threatened with immediate injury by dogs, a peace officer may kill such dog or dogs where the vicious character of the dog or dogs is manifest. A peace officer killing a dog pursuant to this subsection shall make reasonable efforts to ascertain the ownership of the dog and inform the owner of the dog's death and the circumstances surrounding the death. Any peace officer who kills a dog pursuant to this subsection or has received a report that a dog has been killed shall file a report with his employing agency within twenty-four (24) hours of his action or of receiving a report.
- (m) Any animal injuring or killing livestock or wild game, except in the normal course of a conventional and lawful hunt, may be killed by the owner of the livestock or his agent or any peace officer.
- (n) Any animal attacking any person in a vicious manner or that bites any person may be impounded by the county sheriff or animal control officer and held in quarantine for at least ten (10) days after the attack to determine whether the dog has any disease which may be communicated to humans, except that no dog shall be quarantined if the dog's owner or custodian presents a valid rabies vaccination certificate showing the dog has been vaccinated against rabies by a licensed veterinarian. Home quarantine may be allowed as determined by the animal control officer or the county sheriff. The costs of impoundment, quarantine and testing shall be paid by the owner or custodian of the animal. Any animal which attacks any person in a vicious manner may be destroyed or the owner or custodian of the animal may be fined not more than two hundred dollars (\$200.00), or both. Proof of the fact that the animal has bitten or attacked any person at any place where a person is legally entitled to be is evidence that the animal is vicious within the meaning of this section. A copy of any animal control officer report regarding the animal bite shall be submitted to the state health officer.
- (o) Except as otherwise provided herein for any criminal violation of this resolution, upon the filing of any complaint, the county sheriff may arrest or issue a summons to the owner of any animal which is running at large or has attacked a person. A first conviction is punishable by a fine of not more than fifty dollars (\$50.00). Each subsequent conviction is punishable by a fine of not more than one hundred dollars (\$100.00).

Section 5 GENERAL LEGAL PROVISIONS

- (a) The Dog Ordinance adopted on March 1, 1982 is hereby repealed on the effective date of these Rules and Regulations.
- (b) If any section, subsection, paragraph, clause, provision or portion of these Rules and Regulations are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of these Rules and Regulations shall not be affected.

- (c) Sheridan County does not waive its Governmental Immunity by enacting or enforcing these Rules and Regulations and fully retains all immunities and defenses provided by law with regard to any action based on these Rules and Regulations. Nor does Sheridan County Surrender its sovereign immunity under contract, tort or any other applicable theory of law by issuing or taking action in regard to these Rules and Regulations.

Commissioner Rolston made a motion to approve and authorize the Chairman to sign Resolution 11-01-001, giving the Board's Notice of Intent to Adopt Animal Nuisance Rules and Regulations and setting a public hearing for April 5, 2011 at 9:00 a.m. to hear public comment. Commissioner Maier seconded the motion and all Commissioners voted in favor.

DSA GRANT SPONSORSHIP

Stacie Coe, Edre Maier, and John M. Smith explained their request for a grant sponsorship and Commissioner Rolston made a motion to sponsor Downtown Sheridan Association's grant application to the Wyoming Business Council for a planning grant to fund an economic development study for the Historic Railroad District. Commissioner Maier seconded the motion and all Commissioners voted in favor.

AUDIT ACCEPTANCE

Commissioner Maier made a motion to accept the 2009-10 Audit, Commissioner Cram seconded the motion and all Commissioners voted in favor. Renee' Obermueller, Administrative Director presented a power point recapping financial highlights from 2003 to present.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 10:30 a.m.

BOARD OF COUNTY COMMISSIONERS

Sheridan County, Wyoming

Attest:

Tom Ringley, Chairman

Eda S. Thompson, County Clerk