

MINUTES OF THE BOARD OF SHERIDAN COUNTY COMMISSIONERS

The Board met at 9:00 a.m. April 19, 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 comments on the Consent Agenda, Commissioner Nickel moved to approve the Consent Agenda as read and published and authorized the Chairman to sign documents as required. Commissioner Rolston seconded the motion and all Commissioners voted in favor.

- a. Minutes of Regular Session, April 5, 2011;
- b. Minutes of Recreation Board, April 5, 2011;
- c. Release of Mortgage to Andrew McFaul/Excalibur Construction, Inc for Lot 10, Block 1 Woodland Park Subdivision – Phase One, acknowledging payment received of \$21,400.00;
- d. Release of Mortgage to Andrew McFaul/Excalibur Construction Inc. for Lot 7 Block 1, Woodland Park Subdivision – Phase One, acknowledging payment received of \$21,400.00;

AGENDA

Commissioner Rolston made a motion to approve the agenda as amended. Commissioner Maier seconded the motion and all Commissioners voted in favor.

ANNOUNCEMENTS

Chairman Ringley announced the schedule for free landfill weekends, BOCC meeting relocations, and the deadline for the Commission scholarship.

PUBLIC COMMENTS

There were no public comments made.

RETAIL LIQUOR LICENSES

Chairman Ringley opened a public hearing at 9:03 a.m. to take comments on the proposed renewal of Retail Liquor Licenses for 2011-12. There were no public comments made and Chairman Ringley closed the public hearing at 9:04. Commissioner Rolston made a motion to approve the renewal of County Retail Liquor Licenses for the period 2011-12 as follows:

Arrowhead Lodge Wyo LLC d/b/a Arrowhead Lodge;
B-Y Ranch Associates, Inc. d/b/a Bear Lodge;
Bozeman Trail Inn Inc. d/b/a Bozeman Trail Inn;
Chuckwagon Country Store LLC d/b/a Chuckwagen Market;
Eaton Brothers Inc. d/b/a Eatons Ranch;
Elkview Inn LLC d/b/a Elk View Inn;
Jon Scherry d/b/a Last Chance Bar;
Martha Craven d/b/a Leiterville Country Club;
Patrick L. Green d/b/a My Buddy's Place;
Crystal Springs, Inc. d/b/a Parkman Bar;
Powder Horn Ranch LLC d/b/a Powder Horn Golf Club;
Y Business LLC d/b/a The Big Horn Y;
Blair Hotels, Inc. d/b/a The Ranch at Ucross;
D&G Tunnel Vision Inc. d/b/a Tunnel Inn;
Wagon Box Properties LLC d/b/a Wagon Box Inn;

Wyarno LLC d/b/a Wyarno Bar.

The motion was seconded by Commissioner Nickel and all Commissioners voted in favor.

LIMITED RETAIL LIQUOR LICENSES

Chairman Ringley opened a public hearing at 9:06 a.m. to take comments on the proposed renewal of Limited Retail Liquor Licenses. There were no public comments made and Chairman Ringley closed the public hearing at 9:07. Commissioner Maier made a motion to approve the renewal of County Limited Retail Liquor Licenses for the period 2011-12 as follows:

Big Horn Equestrian Center d/b/a Big Horn Events Center;

Big Horn Mountain Eagles Foe Aerie 4169;

Sheridan Country Club.

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

TRANSFER MALT BEVERAGE PERMIT

Chairman Ringley opened a public hearing at 9:08 a.m. to take comments on the proposed transfer of ownership for a retail malt beverage permit. There were no public comments made and Chairman Ringley closed the public meeting at 9:09. Commissioner Nickel motioned to approve the Permit Transfer of Ownership for Dennis A. Wood d/b/a Arvada Bar for the period of 2011-12. Commissioner Rolston seconded and all Commissioners voted in favor.

TRANSFER OWNERSHIP/LOCATION RETAIL LIQUOR LICENSE

Chairman Ringley opened a public hearing at 9:10 a.m. to take public comments on the proposed transfer of ownership and location for a retail liquor license. There were no public comments made and Chairman Ringley closed the public hearing at 9:11. Commissioner Rolston made a motion to approve a License Transfer of Ownership and Location for the Old Firehall LLC d/b/a Story Store for the period of 2011-12. Commissioner Maier seconded the motion and all Commissioners voted in favor.

DAYTON NORTHWEST REZONE – RESOLUTION 11-04-010

Following a staff report from Mark Reid, County Planner, and comments from Planning and Zoning Commission Chairman, Mike Mellgren, Commissioner Maier made a motion to approve and authorize the Chairman to sign Resolution 11-04-010 giving public notice of Sheridan County's intent to amend the official zoning map for certain areas located northwest of Dayton, Wyoming currently zoned urban residential or rural residential and to enact a temporary freeze on the division of land therein. Commissioner Rolston seconded the motion and all Commissioners voted in favor.

RESOLUTION 11-04-010

“PUBLIC NOTICE OF SHERIDAN COUNTY’S INTENT TO AMEND THE OFFICIAL ZONING MAP FOR CERTAIN AREAS LOCATED NORTHWEST OF DAYTON, WYOMING CURRENTLY ZONED URBAN RESIDENTIAL OR RURAL RESIDENTIAL,

AND

ENACTMENT OF A TEMPORARY FREEZE ON THE DIVISION OF LAND THEREIN”

WHEREAS, Wyoming Statutes - §§ 18-5-101 to 18-5-107; 18-5-201 to 18-5-208 authorize Sheridan County to promote the public health, safety, morals and general welfare of the county by regulating and restricting the location and use of buildings and structures and the use, condition of use or occupancy of lands for residence, recreation, agriculture, industry, commerce, public use and other purposes in the unincorporated area of the county; and

WHEREAS, Wyoming Statutes - §§ 34-12-101 to 34-12-115; 18-5-101 to 18-5-107; 18-5-201 to 18-5-207; 18-5-301 to 18-5-317 authorize Sheridan County, in promoting the public health, safety, morals and general welfare of the county, to regulate the division of land in unincorporated Sheridan County; and

WHEREAS, following extensive public involvement, the Board of County Commissioners on December 22, 2008 did adopt a Comprehensive Plan for the unincorporated portions of Sheridan County containing a Future Land Use Plan; and

WHEREAS, changing zoning to be consistent with the Future Land Use Plan to limit expansion of urban and low density residential development into rural and agricultural lands is identified as an implementation strategy in said Comprehensive Plan; and

WHEREAS, said Plan generally designates areas northwest of the Town of Dayton as “Agricultural/Resource,” but the current Official Zoning Map indicates certain areas in the same vicinity as “Urban Residential” or “Rural Residential”; and

WHEREAS, those lands in T57N, R86W; and T57N, R87W; 6th P.M., Sheridan County, Wyoming, more particularly described in Exhibit "A" herewith, are presently zoned "Urban Residential", or "Rural Residential", but the same are indicated as "Agricultural/Resource" in the Comprehensive Plan; and

WHEREAS, on April 6, 2011, pursuant to Section 29.C. of the Rules and Regulations Governing Zoning in Sheridan County, Wyoming, the Sheridan County Planning & Zoning Commission did initiate proceedings to amend the Official Zoning Map, and also recommended imposition of a temporary freeze on subdivision of land for those lands described in Exhibit "A" herewith.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF SHERIDAN COUNTY, WYOMING, that in the interest of encouraging consistency between the Comprehensive Plan and the Official Zoning Map, the Board of County Commissioners hereby gives notice of its intent to amend the Official Zoning Map from "Urban Residential", or "Rural Residential", to "Agricultural" for the lands described herein; that a map of the proposed amendment may be obtained from the Sheridan County Commissioner's Office or County Public Works Department, 224 S. Main Street, Sheridan, Wyoming; that all interested persons may submit written comments to the Sheridan County Commissioners, 224 S. Main Street, Sheridan, Wyoming 82801, no later than 12:00 p.m. on June 27, 2011; that there shall be a public hearing on this proposed amendment on July 5, 2011 at 9:00 a.m. in the Sheridan County Commissioners board room on the second floor of the County Courthouse, (Burkitt Street entrance) Sheridan, Wyoming; and that this notice shall be published once in the Sheridan Press as prescribed by law.

BE IT FURTHER RESOLVED that to avert a rush of land division contrary to the goals of the Comprehensive Plan, and to promote and protect the public health, safety, morals and general welfare of the citizens of Sheridan County, there is hereby enacted a temporary freeze on the subdivision of land for the lands described herein. This freeze shall continue in full force and effect for a period sufficient to allow consideration of the Planning & Zoning Commission initiated rezoning.

BE IT FURTHER RESOLVED that the Public Works Department is hereby authorized and instructed to take all necessary administrative actions pursuant to state and local laws to facilitate consideration of this proposal.

ADOPTED this ____ day of _____ 2011.

BOARD OF COUNTY COMMISSIONERS

Sheridan County, Wyoming

/s/Tom Ringley, Chairman

Attest:

/s/Eda Thompson, County Clerk

CMAQ RESOLUTION 11-04-009

Chairman Ringley opened a public meeting at 9:18 a.m., Mike Mackey, Grants Administrator, presented his staff report. There were no public comments made and Chairman Ringley closed the public meeting at 9:22. Commissioner Cram made a motion to approve and authorize the Chairman to sign Resolution 11-04-009, CMAQ 2011 grant application, and public interest finding form for submission to the WY Dept. of Transportation for 112 miles of dust mitigation work on various County Roads. The total project cost is \$514,977.00, WYDOT portion is \$411,970.60 and the County portion will be \$102,999.40 to be funded with Capital Facilities Tax monies. Commissioner Rolston seconded the motion and all Commissioners voted in favor.

RESOLUTION 11-04-009

A RESOLUTION AUTHORIZING SUBMISSION OF A CMAQ GRANT APPLICATION TO THE WYOMING DEPARTMENT OF TRANSPORTATION BY THE SHERIDAN COUNTY COMMISSION FOR 112 MILES OF DUST MITIGATION WORK ON THE FOLLOWING COUNTY ROADS; 38, 42, 67,74, 84, 89, 92, 108, 122, 133, 144, 255, 269, 273, 293, 1209, 1211, 1231.

WITNESSETH

WHEREAS, Sheridan County desires to participate in the Wyoming Department of Transportation's CMAQ grant program for assistance in funding this project; and

WHEREAS, the Sheridan County Commission recognizes the need for this project; and

WHEREAS, Sheridan County has met the criteria set forth by the Wyoming Department of Transportation for this project; and

WHEREAS, the estimated cost of the 2011 dust mitigation project is \$514,997.00; and

WHEREAS, the Sheridan County Commission has set aside \$102,999.40 in Capital Facilities Tax funds to meet WYDOT's 20% local match requirements.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF SHERIDAN COUNTY, that the Commission will submit a grant application to WYDOT requesting \$411,997.60 in CMAQ grant funds, and that Ken Muller, P.E., County Engineer, is hereby authorized to act on the County's behalf in all matters relating to this grant application.

DATED this nineteenth day of April, 2011.

Board of County Commissioners

Minutes of April 19, 2011

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BOARD OF COUNTY COMMISSIONERS
Sheridan County, Wyoming
/s/Tom Ringley, Chairman

Attest:
/s/Eda S. Thompson, County Clerk

SWAIM ROAD PROJECT

Following a staff report from Ken Muller, County Engineer, Commissioner Rolston made a motion to award and authorize the Chairman to sign a contract agreement with Knife River, Inc. in the amount of \$475,192.00 for Sheridan County Road Improvement Project for work on Swaim Road, County Road 56. Commissioner Maier seconded the motion and all Commissioners voted in favor.

HEALTH OFFICER

Commissioner Rolston made a motion to extend the appointment of Dr. Michael Strahan as Sheridan County Health Officer until August, 2011. Commissioner Nickel seconded the motion and all Commissioners voted in favor.

JOHNSON STREET CLOSURE

Commissioner Maier motioned to close two blocks on Johnson Street in Big Horn July 23, 2011 from 4 p.m. to 6 p.m. to celebrate Big Horn's 130th Anniversary with a parade and community celebration. Commissioner Rolston seconded the motion and all Commissioners voted in favor.

ANIMAL NUISANCE

Commissioner Maier motioned to approve the proposed Animal Nuisance Rules and Regulations for Sheridan County, Wyoming. Commissioner Nickel seconded the motion. Commissioners Nickel and Ringley voted for the motion while Commissioners Cram, Maier, and Rolston voted against.

OLD ARVADA SCHOOL

Commissioner Maier motioned to postpone the request from School District #3 for the Old Arvada School until May 3, 2011. Commissioner Nickel seconded the motion and all Commissioners voted in favor.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 9:35 a.m.

BOARD OF COUNTY COMMISSIONERS

Sheridan County, Wyoming

Attest:

Tom Ringley, Chairman

Eda S. Thompson, County Clerk