

MINUTES OF THE BOARD OF SHERIDAN COUNTY COMMISSIONERS

The Board met at 9:00 a.m., Tuesday, June 4, 2013, in regular session in the Commission Board Room, County Courthouse, Sheridan, Wyoming. Chairman Steve Maier 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

Commissioner Cram moved to add item j. Subordination of Mortgage from Sheridan County to First Interstate Bank for Lot 2, Block 3 of the Woodland Park Subdivision, to the published consent agenda. Commissioner Nickel seconded, all voted in favor and the motion passed. Commissioner Rolston moved to approve the consent agenda as amended and authorize the Chairman to sign documents as required. The motion was seconded by Commissioner Ringley and passed unanimously. Following are the consent items:

- a. Minutes from Staff Meeting, May 20, 2013;
- b. Minutes from Regular Session, May 21, 2013;
- c. Minutes from Staff Meeting, May 28, 2013;
- d. Contract and Business Associate Agreement Between Wyoming Department of Health, Public Health Division and Sheridan County to provide maternal and child health services from July 1, 2013 to June 30, 2014;
- e. Affirm Amendment to Simplywell Services Agreement, replacing Exhibits A & B, effective May 23, 2013;
- f. Memorandum of Agreement and Right of Way Easement with Wyoming Department of Transportation for Lewis Street/Big Goose Cr Str. in the Fulmer Subdivision;
- g. Sheridan County License Agreement 1306LA with MDU to cross Paradise Park Road, County Road #72, to install a 2" gas main, (fee paid);
- h. General County Vouchers, May;
- i. General Airport Vouchers; May.
- j. Subordination of Mortgage from Sheridan County to First Interstate Bank for Lot 2, Block 3 of the Woodland Park Subdivision.

MAY 2013

INTERIM MID-MONTH WARRANTS

VENDOR	AMOUNT	DESCRIPTION
ACT INC	\$3,270.13	PHONE SERVICE
AMERICAN FAMILY LIFE INS	\$1,176.81	PREMIUM
AT&T MOBILITY	\$22.42	CELL PHONE SERVICE
BIG HORN CNTY ELECTRIC CO-OP	\$86.75	UTILITIES
CENTURYLINK	\$8,777.25	PHONE SERVICE
CHARLES W BASSETT	\$7,575.55	LEASE PAYMENTS
CIT-CO FEDERAL CREDIT UNION	\$2,855.90	PAYROLL TRANSFERS
CITY OF SHERIDAN	\$700.98	UTILITIES
DELTA DENTAL	\$7,626.10	PREMIUM
DEX MEDIA WEST	\$43.50	ADVERTISING
DIAMOND POINT CONST	\$62,679.00	STORAGE BUILDING
EBMS	\$991.67	FLEX PLAN
GREAT AMERICA NETWORKS	\$29.52	CONF CALLING
HASLER INC	\$319.92	POSTAGE METER
ICMA RETIREMENT TRUST	\$4,425.12	MAY
JURY WARRANTS	\$1,638.52	JURORS
MONTANA DAKOTA UTILITIES	\$11,352.36	UTILITIES
MOUNTAIN VIEW BUILDING	\$12,470.00	DEMO, DEBRIS REMOVAL
NATIONAL BUSINESS SYSTEMS	\$1,624.17	MVR POSTCARDS
NCPERS GROUP LIFE INS	\$560.00	PRUDENTIAL LIFE
ODELL CONSTRUCTION	\$52,707.10	SHER HLTH CTR ADDN & RENO
ORCHARD TRUST	\$5,209.84	WYO DEFERRED COMP
PAETEC	\$25.90	PHONE SERVICE
PARKWAY PLAZA HOTEL & CONV CENTRE	\$70.00	LODGING

POWDER RIVER ENERGY CORP	\$55.01	UTILITIES
QUIK SAK	\$107.71	FUEL
RANGE TELEPHONE CO-OP	\$359.23	PHONE SERVICE
SHERIDAN AREA WATER SUPPLY	\$156.47	UTILITIES
SHERIDAN CHAMBER OF COMMERCE	\$20.50	CHAMBER BUCKS
SHERIDAN CNTY TREAS HEALTH INS	\$141,067.04	HEALTH INS/FLEX PLAN FEE
SHERIDAN CNTY TREAS PAYROLL TAX	\$130,852.40	941
SHERIDAN PRESS	\$126.00	SUBSCRIPTION
TOWN OF CLEARMONT	\$64.00	UTILITIES
UNITED LIFE INSURANCE	\$1,464.19	MAY
US BANK CORPORATE REAL ESTATE	\$850.00	RENT
UTILITY BILL SOLUTIONS GROUP	\$47.50	SAVINGS
VERIZON WIRELESS	\$1,439.70	CELL PHONE SERVICE
WIRELESS ADVANCED COMMUNICATIONS	\$14,802.98	PRGMG, ANTENNAS, RPL RECORDERS
WRIGHT EXPRESS	\$9,038.83	FUEL
WYO CHILD SUPPORT ENFORCEMENT	\$2,098.00	MONTHLY CHILD SUPPORT
WYO RETIREMENT SYSTEM	\$74,099.65	MAY
WYO WORKERS COMPENSATION DIV	\$10,148.75	MAY
WYOMING POLICE SERVICE DOG ASSN	\$60.00	DUES
ZIETZKE, JENNA	\$729.47	EXENSE REIMB
TOTAL MID-MONTH INTERIM WARRANTS PAID	\$573,825.94	

GENERAL COUNTY WARRANTS

VENDOR	AMOUNT	DESCRIPTION
A & M SERVICE	\$307.80	CARTRIDGES
A PLUS PLUMBERS	\$1,364.90	PLUMBING
ABC SIGNS	\$28.00	SIGNS
ADVANCED CHEMICAL SOLUTIONS	\$188.50	CLEANERS
ADVOCACY & RESOURCE CENTER	\$3,750.00	1% OPT SALES TAX
ALLENDER, JAMES	\$46.25	FRAME
AMERICAN BAR ASSOC	\$400.00	DUES
AMERICAN WELDING & GAS	\$213.39	SUPPLIES
A-PLUS SERVICES	\$21,735.00	HAULING
ATKINSON, ANNA	\$11.30	MILEAGE
BARNEY & GRAHAM	\$1,446.67	LEGAL
BENNICK, CONNIE	\$40.03	CLOTHING ALLOWANCE
BIG HORN TIRE	\$5,012.98	TIRES, REPAIRS
BIG HORN WATER WAGON	\$18,662.50	FRAC TANK RENTAL, WATER ROADS
BLOEDORN LUMBER	\$147.80	MATERIAL
BOBS PEST CONTROL	\$35.00	SERVICE
CARQUEST AUTO PARTS	\$26.74	PARTS
CARR, THOMAS	\$1,000.00	LEASE
CARROLL, PETE	\$497.20	MILEAGE
CBM FOOD SERVICE	\$21,703.67	INMATE MEALS
CDW GOVERNMENT	\$205.18	HEADSET, EARLOOP
CEDARS HEALTH	\$311.00	DRUG TESTING
CHILD ADVOCACY SERVICES OF THE BIG HORNS	\$3,750.00	1% OPT SALES TAX
CITY LANDFILL	\$5,791.56	DEBRIS
CITY OF SHERIDAN	\$15,638.40	FREE LANDFILL DAYS, TREES FOR TRASH
COLLINS COMMUNICATIONS	\$4,626.92	SERVICE
COMTRONIX	\$100.00	ALARM
CONNIES GLASS	\$3.56	GLASS
COPSPPLUS INC	\$106.91	HOLSTERS
CORRECTIONAL HEALTHCARE MANAGEMENT	\$15.30	INMATE MEDICAL
DALKE, AMANDA	\$273.92	TRAVEL REIMB

DAN HART PATROL SERVICE	\$89,828.92	EAST RIDGE RD IMPROVEMENTS
DAVIS & CANNON	\$866.02	LEGAL
DLT SOLUTIONS	\$2,536.60	SUBSCRIPTIONS
DOG & CAT SHELTER	\$3,750.00	1% OPT SALES TAX
DOORMEN OVERHEAD	\$158.75	SERVICE
DOWNTOWN SHERIDAN ASSN	\$2,500.00	1% OPT SALES TAX
DRIVE TRAIN INDUSTRIES	\$443.48	PARTS
DUSTBUSTERS INC	\$58,118.49	DUSTGARD
ENTECH INC	\$1,530.57	MAVERICK RD BRIDGE
ESCAPE	\$100.00	REGISTRATIONS
FACILITY DUDE.COM	\$1,268.00	SOFTWARE
FARMERS CO-OP OIL	\$5,714.40	FUEL
FASTENAL	\$1,006.31	SUPPLIES
FECK, SUSAN	\$24.86	MILEAGE
FEDEX	\$23.37	SHIPPING
FIRESTONE STORE	\$810.68	TIRES, REPAIR
FISHER, FRED	\$35.00	MAP
FORWARD SHERIDAN	\$5,000.00	1% OPT SALES TAX
FREMONT MOTOR	\$243.89	OIL CHANGE, ELEMENT
GARY BRINK INC	\$93.84	SWITCHES
GREASE MONKEY	\$86.99	OIL CHANGE
HEARTLAND KUBOTA	\$9.40	PIN
HENRY SCHEIN INC	\$100.45	PARTS
HININGER, SCOTT	\$379.21	EXPENSE REIMB
HONNEN EQUIPMENT	\$4,400.00	COMPACTOR RENTAL
IDEAL MFG INC	\$142.01	TRANSFORMER
JACK'S AUTO BODY SPECIALISTS	\$2,744.04	BODYWORK
JACKS TRUCK & EQUIPMENT	\$399.08	PARTS
JUVENILE JUSTICE JT POWERS BD	\$45,000.00	1% OPT SALES TAX
K B COMMERCIAL PRODUCTS	\$425.98	SUPPLIES
KANE FUNERAL HOME	\$3,445.00	EXPENSES, SERVICES
KBM&M INC BIG HORN SANITATION	\$170.33	PORT TLT
KIMMEL, KERRIE	\$950.00	DEP CORONER
KING LOCKSMITH & ELECTRONICS	\$166.80	PADLOCKS
KINNAIRD LAW OFFICE	\$637.50	LEGAL
KLEPPERICH, JACQUELYN	\$39.55	MILEAGE
KNECHT HOME CENTER	\$10.90	MATERIAL
L.J.WRIGHT IRONWORKS & DESIGN	\$115.75	FABRICATE
LANDONS GREENHOUSE & NURSERY	\$725.63	PLANTS
LANNANS SUPPLY	\$304.49	SUPPLIES
LAYA, GARY	\$147.92	MAINT
LEGERSKI, CARRIE	\$10.74	MILEAGE
LET'ER BUCK CAR WASH	\$25.00	CAR WASHES
LOCAL GOVERNMENT LIABILITY POOL	\$69,666.00	RENEWAL
LONABAUGH AND RIGGS	\$1,422.00	LEGAL
MASTERCARD	\$5,787.54	MAY
MCJUNKIN REDMAN	\$263.80	PARTS
MEINEKE ECONOLUBE	\$243.60	OIL CHANGES
MEMORIAL HOSPITAL	\$185.00	INMATE MEDICAL
MONTANA DAKOTA UTILITIES	\$98.91	INSTALL SERVICE
MOTOROLA	\$16,205.28	SERVICE AGREEMENT
MULLINAX	\$1,274.55	MATERIAL
NAPA AUTO PARTS	\$539.71	PARTS
NATIONAL 4-H COUNCIL	\$455.03	SUPPLIES
NEVES UNIFORMS	\$171.79	SHIRTS
NO WYO MENTAL HEALTH	\$6,250.00	1% OPT SALES TAX

NORCO	\$1,237.99	SUPPLIES
NORMONT EQUIPMENT	\$832.00	SIGN STANDS
NORWOOD CONSTRUCTION	\$36,565.00	EQUIPMENT, LABOR
NST INVESTMENT	\$8,215.00	CULVERT REPLACEMENT
OREILLY AUTOMOTIVE	\$158.04	PARTS
OXFORD INC	\$268,519.20	CALCIUM CHLORIDE, GRINDING
PACK & MAIL	\$8.30	SHIPPING
PARKERS GLASS SHOP	\$390.00	WINDSHIELD
PENNO, MARY	\$1,075.00	DEP CORONER
PETERBILT OF WYOMING	\$443.90	VALVE
PITNEY BOWES	\$200.00	RENTAL
PLAINS TIRE CO	\$186.96	TIRE
PLAINSMAN PRINTING	\$2,827.18	SUPPLIES
PREMIER ELECTRIC	\$227.50	ELECTRICAL
PRIORITY DISPATCH	\$1,980.00	AGREEMENT
PSS WORLD MEDICAL	\$31.23	DIPSTICKS
PTOLEMY DATA SYSTEMS	\$10,874.92	SERVICE, HARDWARE
PUBLIC SAFETY CENTER	\$1,395.00	GLOVES
QUILL CORP	\$11.49	TRAY
RENEW	\$2,500.00	1% OPT SALES TAX
RUAG DIVISION	\$1,711.32	AMMO
SCHONENBACH, KATHIE	\$26.56	MILEAGE
SENIOR CITIZENS CENTER	\$11,250.00	1% OPT SALES TAX
SESSIONS, KEVIN	\$575.00	DEP CORONER
SHERIDAN ACE HARDWARE	\$185.17	SUPPLIES
SHERIDAN CHAMBER OF COMMERCE	\$3,000.00	1% OPT SALES TAX
SHERIDAN CNTY AIRPORT	\$32,033.34	FIXED COST PMT, LEASE
SHERIDAN CNTY CONSERVATION DIST	\$7,500.00	1% OPT SALES TAX
SHERIDAN CNTY EXTENSION	\$217.34	EXPENSE REIMB
SHERIDAN CNTY FAIR ASSN	\$81,250.00	1% OPT SALES TAX, FIXED COST
SHERIDAN CNTY FIRE BOARD	\$25,000.00	1% OPT SALES TAX
SHERIDAN CNTY FULMER PUBLIC LIBRARY	\$218,333.34	1% OPT SALES TAX, FIXED COST PMT
SHERIDAN CNTY HISTORICAL SOCIETY	\$5,000.00	1% OPT SALES TAX
SHERIDAN CNTY PUBLIC HEALTH	\$20.00	ASSESSMENTS
SHERIDAN CNTY SEARCH & RESCUE	\$3,750.00	1% OPT SALES TAX
SHERIDAN CNTY WEED & PEST	\$3,363.75	CHEMICAL MOW
SHERIDAN COMMERCIAL	\$187.32	SUPPLIES
SHERIDAN COMMUNITY LAND TRUST	\$5,000.00	1% OPT SALES TAX
SHERIDAN HEALTH CENTER	\$2,500.00	1% OPT SALES TAX
SHERIDAN HERITAGE CENTER	\$6,250.00	1% OPT SALES TAX
SHERIDAN LOCK & KEY	\$85.00	SERVICE
SHERIDAN MOTOR	\$143.08	OIL CHANGES, REPAIRS
SHERIDAN PRESS	\$1,953.55	ADVERTISING
SHERWIN WILLIAMS	\$166.20	PAINT, SUPPLIES
SOURCE OFFICE PRODUCTS	\$651.12	SUPPLIES
STAMP FULFILLMENT SERVICES	\$284.30	ENVELOPES
STANARD & ASSOC	\$405.00	EVALUATION
STAPLES ADVANTAGE	\$757.89	SUPPLIES
STEWART, JOSIE	\$13.00	MILEAGE
STRAHAN & ASSOC	\$366.67	SCREENING, HLTH OFFICER
SYSCO	\$111.01	SUPPLIES
TASER INTERNATIONAL	\$222.45	CARTRIDGES
THE TROPHY CASE	\$7.00	NAME TAG
THOMAS BENNETT MD	\$1,580.00	AUTOPSY
THOMPSON, EDA	\$179.67	MILEAGE
THRONE LAW OFFICE	\$3,275.25	LEGAL

THYSSENKRUPP ELEVATOR	\$1,054.76	ELEV MAINT
TIRE-RAMA	\$514.72	SERVICE, TIRES
TONGUE RIVER VALLEY COMMUNITY CENTER	\$3,125.00	1% OPT SALES TAX
TOP OFFICE PRODUCTS	\$9,292.59	COPY CHGS, CHAIRS, SUPPLIES
TOTAL COMFORT	\$644.10	SERVICE
TOWN OF DAYTON	\$4,500.00	1% OPT SALES TAX
TRUE NORTH STEEL	\$2,467.80	CULVERT
TSP INC	\$157.36	ENGINEERING
TYLER TECHNOLOGIES	\$206.28	SUPPLIES
US BANK CORPORATE REAL ESTATE	\$550.00	RENT
VALLEY MOTOR HONDA	\$16.77	ELEMENT
VOLUNTEERS OF AMERICA	\$12,500.00	1% OPT SALES TAX
WALMART COMMUNITY	\$112.81	SUPPLIES
WAREHOUSE MARKET	\$696.65	SUPPLIES
WATER PRODUCTS	\$140.00	WATER
WAY OIL	\$1,535.35	LUBRICANTS
WEST PAYMENT CENTER	\$1,337.18	INFO CHGS
WILLIS, KENTZ	\$413.62	EXPENSE REIMB
WOLTERS KLUWER LAW & BUSINESS	\$344.00	LITERATURE
WYATT, AMY	\$18.08	MILEAGE
WYDOT	\$71.70	SHERIDAN STS
WYO DEPT OF HEALTH	\$964.00	TESTING
WYOMING ASSN OF SHERIFFS AND CHIEFS	\$350.00	DUES
WYOMING COUNTY CLERKS ASSN	\$100.00	DUES
WYOMING COUNTY COMMISSIONERS ASSN	\$13,007.00	DUES
WYOMING ELECTRIC	\$5,549.63	REPAIR & REWIRE PUMPHOUSE
WYOMING GUARDIANS AD LITEM PROGRAM	\$5,060.38	GAL
WYOMING LAW ENFORCEMENT ACADEMY	\$500.00	TRAINING
WYOMING MACHINERY	\$2,478.26	PARTS
WYOMING STATE ENGINEERS OFFICE	\$50.00	PERMIT
WYOMING STATE LEADERS COUNCIL	\$60.00	REGISTRATION
ZOWADA RECYCLING & STEEL	\$180.79	MATERIAL
GENERAL COUNTY WARRANTS	\$1,267,525.51	

AIRPORT WARRANTS

VENDOR	AMOUNT	DESCRIPTION
ACT	\$356.79	PHONE SERVICE
AMERICAN WELDING & GAS	\$74.00	RODS
AT&T MOBILITY	\$28.31	PHONE SERVICE
C BAR K PETROLEUM SERVICES	\$1,196.49	MONITOR SYSTEM COMPONENTS
CED	\$58.89	PARTS
CIRCLE S SANITATION	\$194.00	SANITATION
CITY OF SHERIDAN	\$447.75	UTILITIES
DOUGLAS PORTABLE TOILETS	\$99.00	PORTABLE TOILET
ERECT A TUBE	\$19,926.90	HANGAR DOWN PAYMENT
FARMERS CO-OP	\$30.00	PROPANE
HANDOS SERVICE CENTER	\$72.69	PARTS
HEARTLAND KUBOTA	\$259.07	PARTS
HOME DEPOT	\$192.06	MATERIAL, SUPPLIES
LANDONS	\$137.84	PLANTS
MASTERCARD	\$145.62	PARTS, MEALS
MONTANA DAKOTA UTILITIES	\$3,983.85	UTILITIES
MOORE GLASS	\$285.00	WINDSHIELD
MULLINAX	\$373.75	SPRINKLERS
NAPA	\$91.95	PARTS
OPTIMUM	\$32.47	SERVICE

PTOLEMY	\$699.00	SERVICE
SERVALL	\$27.82	TOWELS
SHERIDAN APPLIANCE REPAIR	\$85.00	REPAIR
SHERIDAN CNTY AIRPORT PETTY CASH	\$63.25	PETTY CASH
SHERIDAN COUNTY	\$17,349.77	INSURANCE, COPIER FEES
SHERIDAN PRESS	\$863.30	ADVERTISING
SHERIDAN SAW SERVICE	\$83.89	PARTS
SHIPTONS BIG R/JOHN DEERE	\$91.16	SUPPLIES
SMITH, TINA	\$51.15	MILEAGE
STRAHAN & ASSOC	\$58.00	SCREENING
VISTA WEST ENGINEERING	\$29,721.24	ENGINEERING
WALLICK, ROBERT	\$721.00	REFUND DEPOSIT
WALMART	\$177.06	SUPPLIES
WYDOT	\$26.76	REVIEW APPRAISAL
TOTAL AIRPORT WARRANTS	\$78,004.83	

AGENDA

Commissioner Nickel moved to approve the agenda as published, Commissioner Rolston seconded the motion, all voted in favor and the motion carried.

ANNOUNCEMENTS

Chairman Maier recognized E'lyn Martini for 20 years of service in the County Assessor's Office. She received a Certificate of Appreciation and Chamber Bucks. Mr. Maier also announced an opening on the Planning and Zoning Commission and the county garage sale scheduled for June 7th.

PUBLIC COMMENTS

There were no public comments.

BID PACKAGE M-1, 8 UNIT HANGAR MATERIALS

Upon the recommendation of John Stopka, Airport Manager, Commissioner Rolston moved to award the bid package, approve the contract, and authorize the Chairman to sign associated documents for M-1, 8-unit Hangar Package, to Erect-A-Tube in the amount of \$199,269.00. Commissioner Nickel seconded, all voted in favor and the motion passed.

REHAB TERMINAL PARKING LOT AWARD

Mr. Stopka presented his staff report and Commissioner Ringley moved to award the bid, approve the contract, and authorize the Chairman to sign associated documents, for Rehab of Terminal Parking Lot Project, to L & S Contractors in the amount of \$64,466. Commissioner Cram seconded the motion. Mike Collins, owner of AZ Asphalt, addressed the board with concerns regarding the bid award. The board voted unanimously in favor of the original motion and it carried.

ARVADA BAR LIQUOR LICENSE

Chairman Maier opened a public hearing at 9:12 a.m. and received a staff report from Sarah Myers, Deputy Clerk. The applicant, Kris Malli, was present for the meeting, there were no public comments and Mr. Maier closed the hearing at 9:14 a.m. Commissioner Rolston moved to approve the Retail Liquor License for Arvada Bar LLC dba Arvada Bar from June 5, 2013 to May 31, 2014. Commissioner Ringley seconded the motion, all voted in favor and the motion passed.

CU-13-004: DEWEY PRIVATE CEMETERY CUP

Mr. Maier opened a public hearing at 9:15 a.m. and received a staff report from Mark Reid, County Planner. Mr. Dewey, the applicant, was present; there were no comments from the public. Chairman Maier closed the hearing at 9:17 a.m. Commissioner Nickel moved to approve item CU-13-004: Dewey Private Cemetery CUP as recommend by the Planning and Zoning Commission with the condition as stated in the staff report. Commissioner Rolston seconded the motion and it carried with a unanimous vote. Mr. Maier stated the board will issue findings of fact to support this decision. Following is the condition:

1. That a Sheridan County Access Permit be obtained for the private access easement intersecting with Beatty Gulch Road.

Q-13-001: EAST RIDGE QUARRY

Chairman Maier opened a public hearing at 9:19 a.m. the applicant's representative Christy Spielman, was present. There were no public comments and he closed the hearing at 9:20 a.m. Commissioner Cram moved to postpone item Q-13-001: East Ridge Quarry until the next regular meeting June 18, 2013. Commissioner Rolston seconded, all voted in favor of the motion, and it passed.

S-13-001M: BIG HORN “Y” MINOR SUBDIVISION

Mr. Maier opened a public hearing at 9:21 a.m., County Planner, Mark Reid presented his staff report. Megan Crow represented the applicants, Mr. and Mrs. Stalick, and answered questions from the board. There were no public comments. Commissioner Ringley moved to approve item S-13-001M: Big Horn “Y” Minor Subdivision as recommended by the Planning and Zoning Commission. Commissioner Rolston seconded the motion, all voted in favor and the motion passed.

CD-12-001: MCMEANS CONSERVATION SUBDIVISION

A public hearing was opened at 9:27 a.m. by Chairman Maier. There were no public comments and the hearing was closed at 9:28 a.m. Commissioner Nickel moved to postpone item CD-12-001: McMeans Conservation Subdivision until the regularly scheduled board meeting July 2, 2013. The motion was seconded by Commissioner Rolston and passed unanimously.

RESOLUTION 13-06-018 RIPARIAN NOTICE OF INTENT

Following a staff report from Mark Reid, County Planner, Commissioner Cram moved to approve and authorize the Chairman to sign Resolution 13-06-018 giving public notice of Sheridan County’s intent to amend the rules and regulations governing zoning in Sheridan County regarding Riparian Areas and setting a public hearing for August 20th during the regularly scheduled board meeting. Commissioner Rolston seconded the motion. Vicki Taylor addressed several questions and comments to the board concerning the proposed amendment. Following her comments, the board voted unanimously in favor of the motion and it passed.

RESOLUTION 13-06-018

**PUBLIC NOTICE OF SHERIDAN COUNTY’S INTENT TO AMEND THE
RULES AND REGULATIONS GOVERNING ZONING IN SHERIDAN COUNTY, WYOMING REGARDING
RIPARIAN AREAS**

WHEREAS, Wyoming Statutes §§ 18-5-101 to 18-5-107; and 18-5-201 to 18-5-208 authorize the Board of County Commissioners for Sheridan County (“Board”) 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, Section 29.C. of the *Rules and Regulations Governing Zoning in Sheridan County, Wyoming* authorizes the Board to initiate proceedings to amend the wording of said rules; and

WHEREAS, riparian areas are a productive, valuable resource that provides numerous functions including improving water quality through filtering and storage, wildlife habitat and migration corridors, and visual benefits; and

WHEREAS, in December 2008, the Board adopted the Sheridan County Comprehensive Plan setting forth goals and policies encouraging the conservation and restoration of riparian corridors, rivers, and streams; and

WHEREAS, in examining a wide spectrum of riparian management techniques, the county has actively engaged the public through multiple avenues of participation including stakeholder interviews, community workshops, a steering committee, preference surveys, a county-hosted website, and public comment period; and

WHEREAS, the purpose of the proposed changes are to amend the *Rules and Regulations Governing Zoning in Sheridan County, Wyoming* providing for reasonable riparian protection standards and exemptions thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF SHERIDAN COUNTY, WYOMING, that in the interest of sustaining natural and scenic resources of Sheridan County to promote public health, safety, morals, and general welfare, the Board hereby gives notice to the public that Sheridan County intends to amend the *Rules and Regulations Governing Zoning in Sheridan County, Wyoming* as proposed in Exhibit “A”. Copies of the proposed amendments may be obtained from the Sheridan County Commissioners’ Office, or County Public Works Department, 224 S. Main Street, Sheridan WY.

IT IS FURTHER RESOLVED that the Sheridan County Planning and Zoning Commission shall hold a public hearing at their regularly scheduled meeting on August 1, 2013 at 5:30 p.m. in the Commissioners Board Room, second floor of the County Courthouse, Sheridan WY to provide a recommendation concerning the adoption of these proposed amendments; that all interested persons may submit written comments to the Sheridan County Planning and Zoning Commission

(c/o the Public Works Department), 224 S. Main Street, Sheridan WY 82801, no later than 12 Noon on July 19, 2013.

IT IS FURTHER RESOLVED that the Board of County Commissioners shall hold a public hearing at their regularly scheduled meeting on August 20, 2013 at 9:00 a.m. in the Commissioners Board Room, second floor of the County Courthouse, Sheridan WY; and that all interested persons may submit written comments to the Board of County Commissioners, 224 S. Main Street, Suite B1, Sheridan WY 82801, no later than 12 Noon on August 14, 2013.

ADOPTED this 4th day of June, 2013.

BOARD OF COUNTY COMMISSIONERS

Sheridan County, Wyoming

/s/Steve Maier, Chairman

Attest:

/s/Eda Schunk Thompson, County Clerk

Exhibit "A"

Proposed Amendments to Rules and Regulations Governing Zoning in Sheridan County, Wyoming Concerning Riparian Areas

Key to proposed amendments:

- Unaltered existing zoning regulation text in black
- Deletion of existing zoning regulation text ~~stricken~~
- Proposed new zoning regulation text in red

Section 3. Purpose

To promote the public health, safety, and general welfare of the County, to regulate and restrict the location and use of buildings and structures and the use, condition of use or occupancy of lands for residence, recreation, industry, commerce, public use and other purposes in the unincorporated area of the County. However, nothing shall be construed to contravene any zoning authority of any incorporated city or town and no Zoning Rules or plan shall prevent any use or occupancy reasonably necessary to the extraction or production of the mineral resources in or under any lands subject thereto, W.S. §18-5-201. **Nothing in these regulations shall be construed to prevent irrigators from altering water levels through the diverting, storage or delivery of water under their water rights or owners of such rights from exercising those rights.**

Section 5. Definitions.

Agriculture - Farming and Ranching Operation, which is land including buildings and structures, which shall be used for agriculture including, but not limited to farming, grazing, dairying, pasturage, agriculture, horticulture, dude ranches, riding stables, animal and poultry husbandry and wildlife game farm, as well as the accessory uses; provided, however, that the operations of any such accessory uses shall be secondary to that of the normal agricultural activities. **This term does not include residences or dwellings that may be situated on agricultural land, or associated with farming or ranching operation.**

Ordinary High Water Mark- An elevation that marks the boundary of a lake, stream, or river bed **based on the ordinary high water level**. It is the highest level at which the water has remained long enough to leave its mark on the landscape. Typically, it is the ~~point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial~~ **line on the shore established by fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of the soil, destruction of terrestrial vegetation, or the presence of litter and debris.** (See Fig. 5-1 of this section)

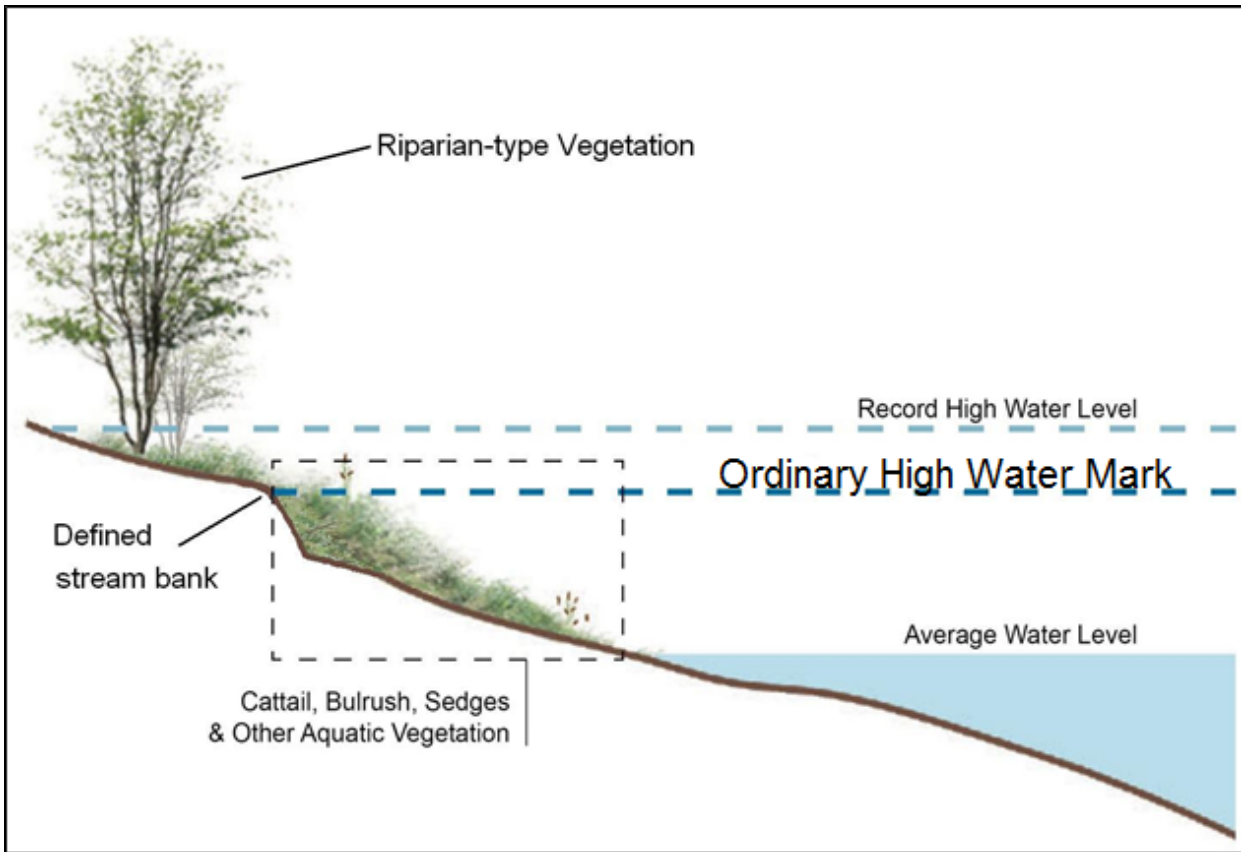


Figure 5-1. Illustration of Ordinary High Water Mark

Riparian Buffer – Lands adjacent to certain classified streams that are subject to these regulations, unless as may be specifically exempted.

Wetland - An area of land that is inundated or saturated by surface water or groundwater at a frequency or duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation as specified under the procedures of the 1987 Corps of Engineers Wetland Delineation Manual.

Section 22. Development Standards.

B. Stream Riparian Protection

1. Purpose.

The stream riparian protection standard is intended to accomplish the following objectives:

- Implement the water quality protection, environmental, and rural character protection goals and policies of the Sheridan County Comprehensive Plan;
- Achieve the goals in a manner that is reasonable and sensitive to local conditions and concerns of owners;
- Protect water quality and habitat quality in the rivers, streams, contiguous wetlands, and other riparian features, thereby protecting the public health, safety, and welfare;
- Encourage filtering of stormwater runoff through natural vegetative buffers and cover along stream banks to provide shade, thereby managing water temperatures and high-quality stream habitat;
- Protect river and stream banks from erosion by providing for effective vegetative buffers adjacent to stream corridors and by prohibiting building activities within a specified distance from streambanks and contiguous wetlands;
- **Preserve large, woody debris that is eventually recruited into a stream to maintain riffles, pools and other elements of channel structure;**
- Protect the character of river and stream corridors which contribute to the valued natural character of the county, its quality of life, and property values; and
- Allow and encourage owners to enhance native vegetation along

- stream banks; and
- Educate about the values of riparian resources, gain greater understanding of riparian ecology, and thus, greater riparian protection and enhancement.

2. Applicability.

~~This standard shall apply to all buildable lots legally established after November 5, 2010. Agriculture uses and buildings used exclusively in the production of livestock or crops shall be exempt from any stream setback requirements.~~ No person shall engage in any activity that will permanently disturb, or will remove, fill, dredge, clear, destroy or alter any riparian buffer except as provided in paragraph 3 below. Any buildable lot adjacent to streams classified as Class 1, 2, or 3 waters on the Wyoming Surface Water Classification List, (published and periodically updated by the Wyoming DEQ, Water Quality Division), shall be subject to the requirements of this section.

3. Exemptions.

The following activities shall be exempt from the requirements of this subsection:

- Any agricultural activity or structure used in the direct production of livestock or crops, but not including residences or dwellings on agricultural lands;
- Means of diversion, conveyance or distribution for irrigation, and the maintenance thereof;
- Public roads, bridges, paths, recreation areas, utilities or drainage facilities, and the maintenance of such activities and installations where they cannot reasonably be located outside the riparian buffer or other nearby areas of development;
- Stream channel and/or wetland modifications or restoration when permitted by the appropriate local, state, or federal agency;
- Restoration of previously disturbed or degraded riparian areas, or planned habitat improvement projects in conjunction with local, state or federal agencies;
- Construction of a trail or pedestrian walkway that will provide public access for educational or recreational purposes provided that the trail or walkway is compatible with the ecological character or wildlife use of the riparian area;
- Recreational facilities approved in conjunction with any development permitted by Sheridan County and outdoor recreation activities involving minimal or no harm or disturbance to riparian functions, including, without limitation, fishing, bird watching, hiking, boating, swimming, and facilities to accommodate the physically disabled. Parking and vehicular circulation areas associated with such use are not exempt from the requirements of this section;
- Mobile homes in existing, permitted Mobile Home Parks;
- Removal of trees or other live vegetation posing an immediate threat to the public or property; removal of damaged or disease-ridden trees or vegetation; removal of vegetative debris and trash; and including fire prevention practices creating defensible space to protect lives and property in accordance with the National Fire Protection Association's most recent edition of "Firewise Guide to Landscaping and Construction", and/or related practices officially endorsed by the local fire district, such as thinning trees, clearing understory brush or downed dead material, limbing of trees, creation of fuel breaks, and other fuel treatments;
- Weed management consistent with state and county laws;
- Existing legal parcels where 50% or more of the total area is encumbered by the riparian buffer. Up to 5,000 square feet of aggregate disturbance shall be permitted within said buffer area (See Fig. 22-1 of this section); and
- Building additions being situated no closer to a stream's ordinary high water mark than the existing building.

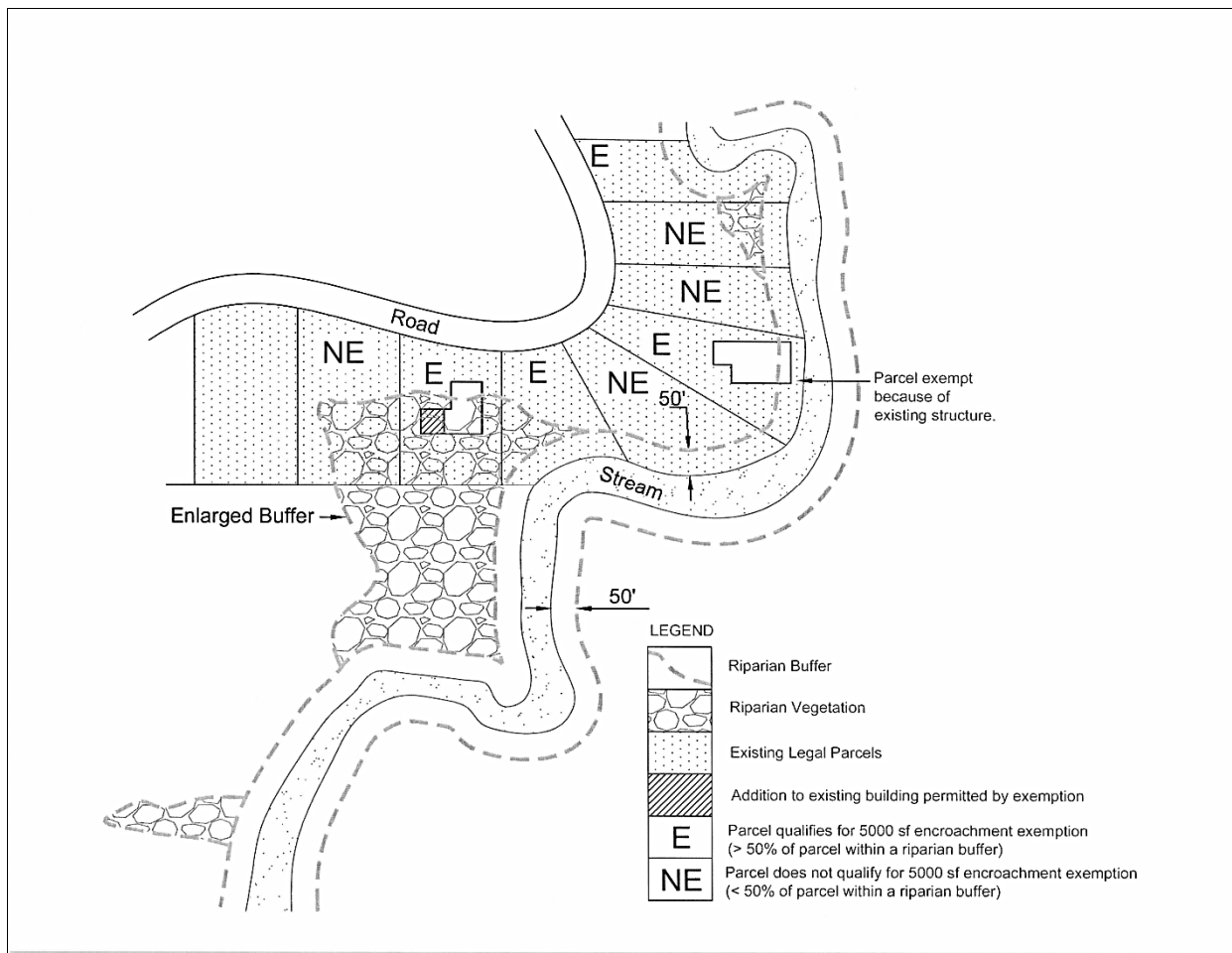


Figure 22-1. Illustration of exempt and non-exempt existing legal parcels.

4. Standards.

a. Stream Setbacks Riparian Buffers

All land adjacent to applicable streams is regulated through the Riparian Buffer.

1. Permitted Uses.

No new dwelling, commercial, or industrial structures, septic systems or impermeable surfaces shall be allowed in the stream setbacks riparian buffer set forth in subsection subparagraph a.2, below, unless as may be exempted. The county discourages other disturbance including but not limited to dredging, filling, installation of septic systems, scraping by motorized equipment, and removal of vegetation, except for trails, bridges, and public utilities. The county also encourages uses that will enhance flood protection function or riparian vegetation.

2. Minimum Setback.

Any buildable lot adjacent to streams classified as Class 1, 2, or 3 waters on the Wyoming Surface Water Classification List, (published and periodically updated by the Wyoming DEQ, Water Quality Division), shall be subject to the following minimum setbacks, as measured from the ordinary high water mark or defined stream bank, whichever will result in less potential disturbance. (See Attachment 2: Wyoming Department of Environmental Quality, Water Quality Division, Surface Water Classification List.)

a. **Streams Classified as Class 1 Waters.** Two-hundred foot setback, provided that the setback may be reduced to one-hundred feet in some locations if an average setback of two-hundred feet is maintained across the property as a whole.

b. **Streams Classified as Class 2 Waters.** One-hundred foot setback, provided that the setback may be reduced to fifty feet in some locations if an average setback of one-hundred feet is maintained across the property as a whole.

- c. ~~**Streams Classified as Class 3 Waters.** Fifty foot setback, provided that the setback may be reduced in some locations if an average setback of fifty feet is maintained across the property as a whole.~~
- d. ~~**Variances.** Should the developer demonstrate that because of peculiar physical conditions pertaining to the property, the literal enforcement of one or more of these regulations is impractical or will exact undue hardship, the Board may permit a variance, in accordance with Section 26 of these rules and regulations and upon a finding that the developer has demonstrated that a smaller setback will not have a significant adverse impact on the stream in terms of water quality, wildlife habitat, and similar natural resource considerations.~~

2. Riparian Buffer Distance

Any buildable lot adjacent to a stream shall be subject to a fifty (50) foot riparian buffer, as measured from the ordinary high water mark or defined stream bank, whichever will result in less potential disturbance, except the County may enlarge any portion of the buffer zone distance, in order to ensure that the performance standards set forth below are achieved.

The riparian buffer performance standards are as follows:

- a. Where site conditions clearly demonstrate that the following site features are present, the riparian buffer distance may be increased to include the following on-site resources:
 - 1. Riparian or wetland vegetation (See Fig. 22-2 of this section);
 - 2. Presence of listed species of threatened or endangered plants and animals or their designated critical habitat;
 - 3. Highly erodible soils as designated by NRCS soils mapping;
 - 4. Steep slopes, where the following increases to buffer distances are required based upon the percentage of slope:

Percent Slope	Width of Buffer
15%-17%	add 10 feet
18%-20%	add 30 feet
Greater than 20%	add 50 feet

- b. Density Transfer.

For Conservation Design Subdivisions, the base density otherwise permitted in the applicable district that is attributable to the portion of the parcel encompassed by the ~~stream setback~~ riparian buffer is transferable to other areas of the parcel. (See Rules and Regulations Governing Division of Land, Section 2.12 and Sections 8 through 10 in these rules and regulations.)

RESOLUTION 13-06-019 PARKMAN VACATION

Chairman Maier opened a public hearing at 9:39 a.m. Ken Muller, County Engineer, presented his staff report. Sandy Plott and Rhonda Powers, representing the petition, discussed the proposed vacation with the board. Following clarification by Eda Schunk Thompson, County Clerk and Deputy County Attorney, Lynn Smith, Mr. Maier closed the hearing at 9:57 a.m. Due to concerns raised by the public with regard to access via one of the alleys, Commissioner Ringley moved to postpone action concerning this item until the regularly

scheduled board meeting June 18, 2013. Commissioner Rolston seconded and the motion passed with all voting in favor.

LIBRARY BOARD APPOINTMENT

Commissioner Nickel moved to appoint Christy Green as a member of the Sheridan County Library Board for a 3 year term, from July 1, 2013 to June 30, 2016. The motion was seconded by Commissioner Rolston and the board voted in favor.

ADJOURNMENT

There being no further business to come before the Board, Chairman Maier adjourned the meeting at 10:00 a.m.

BOARD OF COUNTY COMMISSIONERS

Sheridan County, Wyoming

Attest:

Steve Maier, Chairman

Eda Schunk Thompson, County Clerk