

**MINUTES OF THE BOARD OF SHERIDAN COUNTY COMMISSIONERS**

The Board met at 9:00 a.m., June 1, 2010, in regular session at the 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**

Consideration of the Airport and General County Vouchers were added to the Consent Agenda as published. There being no public comment on the Consent Agenda as read, the Board approved the amended Consent Agenda and authorized the Chairman to sign documents as required.

- a. Minutes of regular session, May 18, 2010;
- b. Affirm Red Grade Road open to public on May 28, 2010 with “travel at your own risk” advisory.
- c. Official Bond and Oath for Stephen H. Pecha, Treasurer of Board of Higher Education Services, \$50,000 coverage, term to April 1, 2011;
- d. Release of Mortgage of affordable housing unit: Lot 4, Block 1, Woodland Park Subdivision-Phase One, and acknowledgement of payment received of \$21,400;
- e. Establish construction retainage account documents for County Road 80 Project;
- f. County Airport vouchers for May;
- g. General County vouchers for May.

**MAY 2010**

**INTERIM MID-MONTH WARRANTS**

<b>VENDOR</b>	<b>AMOUNT</b>	<b>DESCRIPTION</b>
ACT INC	\$3,319.30	PHONE SVC
ALLTEL	\$22.87	CELL PHONE SVC
AMERICAN FAMILY LIFE INS CO	\$1,442.36	PREMIUMS
BIG HORN CNTY ELECTRIC CO-OP	\$86.49	UTILITIES
BRESNAN COMMUNICATIONS	\$68.19	CABLE TV
CHARLES W BASSETT	\$3,971.04	LEASE PMTS
CIT-CO FEDERAL CREDIT UNION	\$4,364.70	MONTHLY PAYROLL TRANSFERS
COLOR WORLD PRINTERS	\$3,456.00	HISTORICAL POSTCARD BK
DELTA DENTAL	\$8,190.80	MAY PREMIUM
DEX MEDIA WEST	\$28.40	ADVERTISING
EBMS	\$1,897.67	FLEX PLAN
GARNISHMENTS	\$510.20	MAY
ICMA RETIREMENT TRUST	\$4,769.40	MAY
LATITUDE GEOGRAPHICS GROUP	\$299.00	REGISTRATION
MONTANA DAKOTA UTILITIES	\$9,042.24	UTILITIES
NATIONAL BUSINESS SYSTEMS	\$2,500.00	NOTICES
NCPERS GROUP LIFE INS	\$448.00	PRUDENTIAL LIFE
ORCHARD TRUST	\$6,428.50	WYO DEFERRED COMPENSATION
POWDER RIVER ENERGY CORP	\$60.47	UTILITIES
QWEST	\$4,324.49	PHONE SVC
RANGE TELEPHONE CO-OP	\$405.15	PHONE SVC
SANOFI PASTEUR INC	\$515.53	VACCINES
SHERIDAN CHAMBER OF COMMERCE	\$20.00	CHAMBER BUCKS
SHERIDAN CNTY TREAS HEALTH INS	\$120,166.10	HEALTH INS/FLEX PLAN FEE
SHERIDAN CNTY TREAS PAYROLL TAX	\$128,685.42	941
SHERIDAN COUNTY CLERK	\$321.00	REIMB OF CANCELLED CHECKS

TOWN OF CLEARMONT	\$50.00	WATER
UNITED LIFE INSURANCE CO	\$1,460.84	MAY
UNITED STATES POSTAL SERVICE	\$4,000.00	POSTAGE
US BANK CORPORATE REAL ESTATE	\$750.00	OFFICE RENT
VERIZON WIRELESS	\$1,575.00	CELL PHONE SVC
WALMART COMMUNITY	\$409.77	SUPPLIES
WRIGHT EXPRESS	\$8,033.84	FUEL
WYO RETIREMENT SYSTEM	\$65,039.05	MAY
WYO WORKERS COMPENSATION DIV	\$4,691.21	MAY
<b>TOTAL MID-MONTH INTERIM WARRANTS PAID</b>	<b>\$391,353.03</b>	
 <b>GENERAL COUNTY WARRANTS</b>		
A PLUS PLUMBERS INC	\$1,675.20	PLUMBING
ABC SIGNS AND SPECIALTIES	\$37.50	SIGN
ADVOCACY & RESOURCE CENTER	\$3,750.00	1% OPT SALES TAX
AG ENTERPRISE SUPPLY	\$79.26	CAMLOCKS
ALSCO	\$185.22	MOPS, FRMS, HNDLS
AMERICAN MAID	\$1,210.00	CLEANING SVC
A-PLUS SERVICES	\$35.00	TOWING
ATTORNEYS AT LAW OF WYOMING	\$412.50	LEGAL
BEALL CORPORATION	\$489.81	PARTS
BERRY, DAVID E	\$300.00	DEP CORONER
BEST WESTERN-THE INN AT LANDER	\$760.70	LODGING
BEST WESTERN FOSSIL COUNTRY INN	\$420.00	LODGING
BEST WESTERN OUTLAW INN	\$193.46	LODGING
BIG HORN MOUNTAIN COUNTRY COALITION	\$3,125.00	1% OPT SALES TAX
BIG HORN RADIOLOGY	\$576.00	INVOL HOSP
BIG HORN SERVICES	\$25,000.00	CRUSHED ROAD BASE
BIG HORN TIRE INC	\$35.00	TIRE REPAIR
BIGHORN DESIGN	\$54.00	SHIRTS
BOB BARKER CO	\$575.74	SUPPLIES
BOBS PEST CONTROL	\$35.00	MONTHLY SVC
BROWN DREW & MASSEY LLP	\$825.00	LEGAL
BURGESS DESIGN GROUP	\$582.00	ADVERTISING
BUSTECH INC	\$58.00	KEYBOARD
CARLSON, KATIE	\$66.00	MILEAGE
CARR, THOMAS	\$1,000.00	STG FACILITY LEASE
CARROLL, PETE	\$375.50	MILEAGE
CARTRIDGE WORLD	\$132.97	CTDGS
CBM FOOD SERVICE	\$21,175.22	INMATE MEALS
CCI USER GROUP	\$150.00	DUES
CED INC	\$64.80	LAMPS
CHAMPION FERRIES FUNERAL HOME	\$100.00	PHONE, RENT
CHEM-DRY OF SHERIDAN	\$65.00	CLEAN CARPET
CHILD ADV SRVCS OF THE BIG HORNS	\$2,500.00	1% OPT SALES TAX
CITY OF SHERIDAN	\$899.00	TRANSPORT, UTILITIES, WATER CARD
CLARION ASSOCIATES	\$7,249.98	CONSERVATION DESIGN
CLEMENS EXTERIORS	\$2,825.00	INSTALL GUTTER, REPAIRS
COLLINS COMMUNICATIONS	\$48,630.89	V/D & MM, MULTIMEDIA WORK, SECURITY
COMMUNICATION TECHNOLOGIES	\$285.00	INSTALL RADIO
COMPUTER SOFTWARE ASSOCIATES	\$100.00	WEBHOST FEE
CORRECTIONAL HEALTHCARE MGMT	\$17,475.65	INMATE MEDICAL SVC
CULLIGAN OF SHERIDAN	\$68.00	WATER
CUNDIFF, SHELLEY	\$1,070.00	LEGAL
DAN HART PATROL SVC	\$11,893.90	CULVERT
DELL MARKETING	\$5,745.92	LAPTOPS, BTTYS

DELUXE BUSINESS CHECKS	\$174.50	CHECKS
DESERT MOUNTAIN CORP	\$7,249.30	ROAD SAVER
DIVISION OF VICTIM SERVICES	\$65.00	CONFERENCE
DOWL HKM	\$350.00	GRAVEL ANALYSIS
DOWNTOWN SHERIDAN ASSN	\$2,500.00	1% OPT SALES TAX
DRAFIX SOFTWARE INC	\$315.00	SFTWARE UPGRADE
DUTCH CREEK ENTERPRISES	\$5,040.00	WATER ROAD
EAST RIDGE TOWING	\$85.00	TOWING
ED HAMMER INC	\$4,639.96	BODYWORK, REPAIRS, OIL CHNGS
E-FILLIATE INC	\$301.88	SUPPLIES
ELECTION SYSTEMS & SOFTWARE INC	\$34,753.00	SFTWARE SUPPORT
ENERGY MINERALS COUNTIES COALITION	\$6,250.00	1% OPT SALES TAX
ENTECH INC	\$5,423.64	FAIRGRNDS DRNG IMPROV , CR 80 REHAB
ESCAPE CONFERENCE	\$110.00	REGISTRATIONS
FARMERS CO-OP OIL CO	\$2,847.83	FUEL
FASTENAL	\$428.24	PARTS
FECK, SUSAN	\$42.90	MILEAGE
FIBERPIPE	\$33.94	PAGING
FLAHARTY, JAN	\$1,688.33	LEGAL
FLYNN, ALLISON	\$128.42	EXP REIMB
FORWARD SHERIDAN	\$5,000.00	1% OPT SALES TAX
FREE CLINIC	\$2,500.00	1% OPT SALES TAX
FREMONT MOTOR	\$1,265.08	REPAIRS
GARYS VACUUMS & STAMPS	\$209.90	STAMPERS
GASES PLUS	\$478.15	SUPPLIES
GETTER APPRAISALS	\$400.00	APPRAISAL
HADLEY LAW OFFICE	\$641.50	LEGAL
HARLAND	\$126.93	CHECKS
HARVEST MOON INC	\$2,500.00	LEASE PMT
HEALY LAW FIRM	\$937.50	LEGAL
HEARTLAND KUBOTA	\$52.97	CLEANER
HININGER, SCOTT	\$127.48	MILEAGE, EXP REIMB
JACKS TRUCK & EQUIPMENT	\$651.14	PARTS
JB STORAGE CONTAINERS	\$135.00	STG CONTAINER RENT
JIFFY LUBE	\$112.97	OIL CHNGS
JUVENILE JUSTICE JT POWERS BD	\$42,500.00	1% OPT SALES TAX
K B COMMERCIAL PRODUCTS	\$61.49	ROLLER, BAGS
KERSTEN TRAILER SALES INC	\$43.20	FLANGE
KINNAIRD LAW OFFICE	\$712.50	LEGAL
KMART	\$86.38	SUPPLIES
KOSMA HEATING AC & ROOFING	\$282.67	INSTALL GUTTER
KREISERS INC	\$45.03	FLEX STRIP
LANDONS GREENHOUSE & NURSERY	\$324.00	BUSHES
LATITUDES TRAVEL	\$986.40	AIRFARE
LOCAL GOVERNMENT LIABILITY POOL	\$83,320.00	LGLP RENEWAL MEMBERSHIP
LOCO PRINTING	\$33.00	STAMPS
MACKEY, MIKE	\$65.59	SIGN MATERIAL
MASTERCARD	\$7,386.68	MAY BILLS
MATTHEW BENDER & CO	\$232.52	LITERATURE
MELANIE KAWULOK, RN	\$72.60	MILEAGE
MEMORIAL HOSPITAL	\$69,136.95	1% OPT TAX, INVOL HOSP, FIXED COST PMT
MHL SYSTEMS	\$2,647.00	BLADES, GUARDS
MIKES ELECTRIC INC	\$97.97	REPLACE BALLAST
MORT, WENDY	\$107.65	MILEAGE, EXP REIMB
MOTOROLA	\$251.00	CABLE
MOUNTAIN VIEW BUILDING INC	\$3,017.72	FAIRGRNDS DRAINAGE IMPROV
MULHOLLAND, RYAN	\$1,375.00	IT WORK

NAPA AUTO PARTS	\$552.37	PARTS
NATIONAL BUSINESS SYSTEMS	\$4,132.52	NOTICES
NEWMAN TRAFFIC SIGNS	\$1,568.63	SIGN MATERIAL
NO WYO MENTAL HEALTH	\$6,250.00	1% OPT SALES TAX
NOVUS AUTO GLASS	\$300.00	REPL WNDSHLD
ODELL CONSTRUCTION INC	\$46,800.00	PUB HLTH BLDG UPGRADES
OREILLY AUTOMOTIVE INC	\$274.80	TWLS
OXFORD INC	\$197,339.18	CALCIUM CHLORIDE
PAETEC	\$33.38	PHONE SVC
PAULS OILFIELD SERVICE INC	\$1,880.00	HAUL WATER
PB COMMUNICATIONS & STRATEGIC SOL.	\$6,370.00	SALES TAX CAMPAIGN
PENNINGTON COUNTY SHERIFF	\$2.58	SUBPOENA SVC
PETERBILT OF WYOMING	\$401.79	STARTER
PITNEY BOWES INC	\$134.92	SUPPLIES
PLAINS TIRE COMPANY	\$167.98	TIRE
PLAINSMAN PRINTING	\$3,912.83	SUPPLIES
POLISH LININGS	\$3,237.93	REPAIR
POWDER RIVER FENCING	\$1,064.95	FENCE REPAIR
POWDER RIVER POWER SHERIDAN	\$245.96	PARTS
PRILL BROTHERS INC	\$2,258.22	REPAIRS, MAINT
PRIORITY DISPATCH	\$1,980.00	MAINT AGRMNT
QUIK SAK	\$211.86	FUEL
QUILL CORPORATION	\$94.37	SUPPLIES
R R BRINK LOCKING SYSTEMS	\$247.78	REPAIR
RANCHHAND FENCING LLC	\$7,434.44	FENCING
RED EAGLE OIL CO	\$17,592.07	FUEL
ROGERS, GEORGE	\$34.18	FUEL
SCHONENBACH, KATHIE	\$44.00	MILEAGE
SENIOR CITIZENS CENTER	\$7,500.00	1% OPT SALES TAX
SERVALL UNIFORM & LINEN SUPPLY	\$34.94	TOWELS
SHERIDAN ACE HARDWARE	\$5.99	NOZZLE
SHERIDAN AREA RURAL FIRE PROT DIST	\$25,000.00	1% OPT SALES TAX
SHERIDAN AREA WATER SUPPLY	\$305.60	WATER
SHERIDAN BRAKE & ALIGNMENT	\$98.43	OIL CHNGS
SHERIDAN CHAMBER OF COMMERCE	\$2,812.50	1% OPT SALES TAX
SHERIDAN CNTY AIRPORT	\$55,866.67	1% OPT TAX, FXD COST, LEASE PMTS
SHERIDAN CNTY COMMISSIONERS	\$72.75	SUPPLIES
SHERIDAN CNTY CONSERVATION DIST	\$3,750.00	1% OPT SALES TAX
SHERIDAN CNTY FAIR ASSN	\$54,166.67	1% OPT SALES TAX, FIXED COST PMTS
SHERIDAN CNTY FIRE BOARD	\$3,750.00	1% OPT SALES TAX
SHERIDAN CNTY FULMER PUBLIC LIBRARY	\$104,250.00	1% OPT SALES TAX, FIXED COST PMTS
SHERIDAN CNTY HISTORICAL SOCIETY	\$5,000.00	1% OPT SALES TAX
SHERIDAN CNTY IMPLEMENT	\$46.91	LUBRICANT
SHERIDAN CNTY SEARCH & RESCUE	\$3,750.00	1% OPT SALES TAX
SHERIDAN CNTY SHERIFF PETTY CASH	\$820.81	REIMB PETTY CASH
SHERIDAN COMMERCIAL CO	\$492.52	SUPPLIES
SHERIDAN COMMUNITY LAND TRUST	\$5,000.00	1% OPT SALES TAX
SHERIDAN COMPUTER INC	\$854.74	SUPPLIES
SHERIDAN HOUSING ACTION COMMITTEE	\$5,000.00	1% OPT SALES TAX
SHERIDAN IRON WORKS	\$33.28	MATERIAL
SHERIDAN LOCK & KEY	\$8.25	KEYS
SHERIDAN PRESS	\$4,992.94	ADVERTISING, SUBSCRIPTION
SHERIDAN SEED CO	\$621.22	SUPPLIES
SHERIDAN STATIONERY	\$18.95	BOOK
SHERIDAN WINNELSON CO.	\$54.84	INSULATION
SHIPTONS BIG R	\$8.99	MAT
SIMPLEXGRINNELL	\$268.00	REPAIR

SOLVE IT INC	\$80.00	REVIEW SOFTWARE
SOURCE OFFICE PRODUCTS	\$954.51	SUPPLIES
ST. VINCENT HEALTHCARE	\$507.51	FACILITY CHG
STRAHAN & ASSOCIATES PC	\$1,569.67	INVOL HOSP, SCREENING, HLTH OFFICER
SWANSON SERVICES CORP	\$3,794.44	COMMISSARY ORDERS
SYSCO FOOD SERVICES	\$355.64	SUPPLIES
TARVER, PETE	\$393.94	SAFETY CANS, JACKS
TASER INTERNATIONAL	\$1,375.56	CARTRIDGES, BTTY PK
TERRY, SUSAN D	\$127.76	EXP REIMB
THE COUNTRY BOUNTY	\$252.00	ADVERTISING
THOMAS L BENNETT MD	\$1,610.00	AUTOPSY
THOMPSON, EDA S.	\$70.13	EXP REIMB
THYSSENKRUPP ELEVATOR	\$917.44	ELEVATOR MAINT
TIRE-RAMA	\$115.00	TIRE REPAIR
TOP OFFICE PRODUCTS	\$5,326.87	COPY CHGS, FURNITURE, SUPPLIES
TOWN OF DAYTON	\$4,500.00	DAYTON-SHERIDAN CNTY RESCUE
TSP INC	\$6,686.92	AGRMNT
VALLEY MOTOR LEASING	\$2,451.54	CRTHSE 3 & 4 FLR RENOV, COMM HLTH BLDG
VISTA WEST ENGINEERING	\$59,432.01	UPGR
VOLUNTEERS OF AMERICA	\$20,000.00	LEASE PMTS
WPCI	\$28.50	SCA PARK PTH, SCA WTR EXT, W BRNDG LN, CNTY
WALMART COMMUNITY	\$43.42	RDS
WAREHOUSE MARKET	\$1,114.65	1% OPT SALES TAX
WARNE CHEMICAL & EQUIPMENT CO	\$319.42	SCREENING
WAY OIL CO	\$90.00	SUPPLIES
WEST PAYMENT CENTER	\$1,275.39	SUPPLIES
WILLIAMSON, WANDA	\$190.85	CHEMICALS
WORDEN, WESLEY	\$180.00	WSHR FLUID
WYATT, AMY	\$22.00	INFO CHGS
WYOMING BANK & TRUST	\$234,657.87	MILEAGE
WYOMING COUNTY CLERKS ASSN	\$100.00	CONT LABOR
WYOMING COUNTY COMMISSIONERS ASSN	\$10,559.49	MILEAGE
WYOMING LAW ENFORCEMENT ACADEMY	\$285.00	CAP FAC LEASE
WYOMING MACHINERY CO	\$16,143.52	DUES
<b>TOTAL GENERAL COUNTY WARRANTS</b>	<b>\$1,427,320.92</b>	DUES
		TRAINING
		PARTS, REPAIRS

**AIRPORT WARRANTS**

A PLUS PLUMBERS	\$470.00	TEST BACK FLOWS
ADVANCE ELECTRIC	\$16,596.94	TERMINAL BLDG UPGRADE
AIRPORT DEVELOPMENT GROUP	\$1,100.00	ENGINEERING ANALYSIS
ALLTEL	\$22.87	CELL PHONE SERVICE
BRESNAN COMMUNICATIONS	\$277.62	INTERNET SERVICE
BURGESS DESIGN GROUP	\$639.00	MARKETING
CIRCLE S SANITATION	\$336.00	TRASH
CITY OF SHERIDAN	\$606.21	UTILITIES
COMMUNICATION TECHNOLOGIES	\$324.85	PROGRAMMING
CONSOLIDATED ELECTRICAL		SUPPLIES
DISTRIBUTORS	\$36.94	PORTABLE TLT
DOUGLAS PORTABLE TOILETS	\$99.00	TERMINAL BLDG UPGRADE
FRY CONSTRUCTION	\$33,254.00	PAYPHONE
FSH COMMUNICATIONS	\$70.00	SUPPLIES
GASES PLUS	\$51.90	FILTERS
GRAINGER	\$378.84	PARTS
HEART MOUNTAIN FARM SUPPLY	\$98.89	SUPPLIES
HOME DEPOT	\$689.68	SUPPLIES
INDUSTRIAL TOWEL	\$25.44	SUPPLIES

KB COMMERCIAL PRODUCTS	\$13.24	SUPPLIES
LANDONS GREENHOUSE	\$1,373.67	TREES, BARK
MASTERCARD	\$2,661.76	MAY BILLS
MODERN ELECTRIC	\$68.00	ELECTRICAL WORK
MONTANA DAKOTA UTILITIES	\$3,466.21	UTILITIES
NAPA AUTO PARTS	\$22.44	PARTS
ROETECH	\$611.50	CONCRETE TESTING
SCA PETTY CASH	\$111.26	REIMB PETTY CASH
SHERIDAN PRESS	\$208.80	ADVERTISING
SHERIDAN SAW SERVICE	\$39.65	EQUIPMENT
SHIPTONS	\$84.71	SUPPLIES
SMITH, TINA JO	\$58.30	MILEAGE
TOP OFFICE PRODUCTS	\$87.30	SUPPLIES
VISTA WEST	\$46,773.71	TERM BLDG UPGRD, GATE 13, RW RHB, GA RAMP, STRIP
WALMART	\$292.90	SUPPLIES
WESTERN EXTINGUISHERS	\$1,266.50	SERVICE
<b>TOTAL AIRPORT WARRANTS</b>	<b>\$112,218.13</b>	

## AGENDA

Consideration of an agreement for upgrades to the Courthouse public areas was added to the agenda. The published agenda was approved as amended.

## ANNOUNCEMENTS

Chairman Maier announced that:

The Planning and Zoning Commission will consider the County-wide Building Code Enforcement question on June 16 in the Board Room at 5:30 p.m.

The Board acknowledged County employee Curt Macha, Sheriff's Office, for ten years employment on June 14.

The Board is accepting letters of interest from persons willing to volunteer their time to serve the community on the County Planning and Zoning Commission. You can find the board interest form on the County's website at [www.sheridancounty.com](http://www.sheridancounty.com).

## PUBLIC COMMENTS

No public comments.

## COUNTY AIRPORT LEASE

The Board authorized the Chairman to sign an Agreement for Lease No. 8-09525 between the Department of Administration and Information, Construction Management, and the Sheridan County Airport. The lease provides 3,455 s.f. of office space at 915 West Brundage Lane for the Department of Criminal Investigation, for a term of five years, at an annual rate of \$32,722.

## COUNTY AIRPORT GRANT

The Board authorized the Chairman to sign a grant application to the State Aeronautics Division for \$6,400 in funding to provide for materials only for Airport personnel to restripe taxiway B and the general aviation and commercial aprons and ramps. A County match of \$1,600 is budgeted in the next fiscal year. Airport Manager John Stopka said this work would start July 1.

#### COUNTY AIRPORT TAXI-WAY A

Mr. Stopka said three bids were opened on May 18. The Board awarded the bid for taxiway A sealing and striping to Maxwell Asphalt, Inc. of Salt Lake City, in the amount of \$91,230, and authorized the chairman to sign the Notice of Award and all contract documents. Mr. Stopka said the work would be done between June 14 and 18.

#### COUNTY AIRPORT RUNWAY 14/32

Mr. Stopka said two bids were opened which did not meet the FAA funding rule. He said the Airport is not at the top of the list in the region for FAA discretionary funding. He recommended rejection of these bids, stating that the project would be re-bid for construction in the spring of 2011. The Board rejected all bids received on May 19, 2010 for the rehabilitation of Runway 14/32.

#### COUNTY AIRPORT GENERAL AVIATION RECONSTRUCTION

Mr. Stopka said one bid was received for the general aviation ramp and access road reconstruction project, which was excessively over the engineering estimate. As this project is under grant award with no extra funds available, Mr. Stopka recommended the bid be rejected. He said the project would be re-bid as smaller work packages. Upon the advice of the Airport Manager, the Board rejected all bids received on May 24, 2010.

#### LEWALLEN MINOR SUBDIVISION; S-10-004M

(Consideration of this matter was postponed on May 18, 2010.) Chairman Maier said the request is to subdivide Tract 3 of the Lewallen-Mefford Minor Subdivision into a three-lot subdivision, consisting of 6.33 acres, zoned Urban Residential. He said two of the proposed lots would be accessed off Metz Road, and one would be accessed off Sherri Road. A variance has been requested to allow a 50-foot road to access a lot. Chairman Maier said the Board would address the variance issue first before considering the question of a subdivision.

Land Development Coordinator Robin DeBolt gave the staff report, advising that there is an existing home on the property, and that the proposed lots would be serviced by SAWS via individual taps with septic systems. She said the DEQ has requested three conditions be included on the plat. The lots are within the groundwater protection area but the application was submitted prior to the adoption of the GPA rules and thus may continue. On the question of access, Ms. DeBolt said Sherri Road was platted and dedicated to the public when Sherri View Subdivision ("SVS") was approved June 26, 1979. She said a short portion of Sherri Road has not been built and is being used as a driveway by the owners of Lot 1 of the Sherri View Subdivision. As submitted, the Lewallen proposed lot 3 would use the existing access off Metz Road, proposed lot 2 would use a new access off Metz Road, and proposed lot 1 would be accessed off Sherri Road. She said the applicant would be responsible for bringing the access via Sherri Road up to County standards, and he is asking for a variance from Section 3.3.b. and Section 3.2.i. of the Rules. The Rules require the finding that the subdivider has clearly demonstrated that there is a physical condition pertaining to his land that would cause a

hardship or is impractical. She said the Planning and Zoning Commission voted 2-2 on the road variance request, thus giving no recommendation.

Amanda Roberts, representing the applicant Andy Lewallen, said access for lot 1 to the west is clearly a hardship. Chris Kosine, Sanderson-Stewart, commented that Sherri Road would be brought up to standard and Mr. Lewallen was willing to work with the homeowners of SVS for maintenance of the road. Ms. Roberts said the SVS homeowner dues are \$150/year, but as of today's Board meeting, no agreement between the parties had been reached. Kody Lamb, of the SVS architectural committee, said that if the County wished to add to their subdivision, the county should pay for the roads. Commissioner Nickel commented that it would seem beneficial for Mr. Lewallen to pay annual dues to SVS for maintenance of the road. County Engineer Ken Muller said the trees at that location were not in the way to allow for a road meeting County standards. Commissioner Cram said past Boards have approved 50-foot variances when necessary in older subdivisions, and that new subdivisions are held to the 60-foot standard. Other Commissioner comments noted that the SVS has 50-foot dedicated right-of-way, and that requiring a 60-foot dedicated right-of-way to tie into a 50-foot dedicated right-of-way makes no sense.

The Board granted the requested 10-foot variance from the 60-foot dedicated right-of-way requirement for the stated portion of Sherri Road from the Rules and Regulations Governing Division of Land in Sheridan County. With the approval of the variance request, Chairman Maier advised that the Board would address the subdivision application. He read a statement explaining the new process whereby the Board would consider divisions of land under the rules for a contested case hearing. He said the applicant, and anyone present opposing the application, may execute a waiver form indicating whether or not they wish to conduct the matter as a contested case or to proceed in an expedited manner. The expedited process is essentially the same process that has been in place for many years. (The public may access this information on the County's website at [www.sheridancounty.com](http://www.sheridancounty.com); look for Waiver of Contested Case Hearing on both the Commissioners and Planning office sites.) Andy Lewallen, Kristin Rath, Kody Lamb, and Kiel Shelden chose to waive their right to a contested case hearing, allowing the Board to proceed to consider the application by the expedited process.

Ms. DeBolt said staff recommended the application be granted with the conditions in the staff report. Ms. Roberts said Mr. Lewallen was willing to comply with the conditions and that they would work with the SVS homeowners to come to an agreement on maintenance. The Commissioners expressed their concern that the agreement was not in writing at this time. Mr. Kosine said the old septic system on lot 3 would be pulled and a new system installed. He suggested that the Board stipulate that signatures would be withheld from the plat until the maintenance agreement could be filed. Mr. Lewallen said he has done everything that was asked of him. He said he understood the concern over increased traffic and it was not his intent to upset his neighbors. Commissioner Nickel asked, and Mr. Lewallen confirmed, that the time line for agreement to contribute toward



maintenance of the road was permanently open so that an agreement could be reached. Commissioner Cram said he could not support the subdivision until there was a binding agreement on maintenance of the road. Commissioners Nickel and Rolston said they hoped the SVS would accept Mr. Lewallen's offer to contribute toward the maintenance of the public right-of-way.

Upon a roll call of the vote, Commissioner Cram voted no, in the absence of a binding maintenance agreement. Commissioner Nickel voted yes, as the road is dedicated to the public and Mr. Lewallen is willing to contribute to the maintenance. Commissioners Ringley and Rolston voted yes, citing Mr. Lewallen followed the process and has a legal use to his property rights. Commissioner Maier voted yes, citing that Mr. Lewallen had followed the rules and was willing to participate with the SVS. The Lewallen Minor Subdivision was approved with the following conditions:

1. Building permits and inspections shall be required.
2. Applicant shall work with the County Engineering Department and receive an access permit for lot 2 off Metz Road (CR#62) prior to starting ground work for the access.
3. Prior to the County signing the plat, the applicant shall upgrade Sherri Road, complying with Sheridan County Subdivision road standards. The applicant shall work with the County Engineer regarding this condition.
4. The following conditions as recommended by DEQ, shall be placed on the plat:
  - 1) Septic systems shall not be placed within 90 feet of the eastern property lines. Separation distances from other lot lines shall be 50 feet.
  - 2) Mounded systems must be designed and constructed in accordance with the Sheridan County requirements as well as a site-specific investigation, certified by a registered Professional Engineer or Professional Geologist, into the seasonal high groundwater levels existing at each site.
  - 3) The existing septic system currently in place on lot 3 will be re-designed and a new mounded septic system constructed.

Chairman Maier advised the applicant that Findings of Fact, Conclusions of Law supporting the Board's decision would be prepared and mailed to him.

#### BEAVER CREEK CONNELL QUARRY; Q-10-002

Chairman Maier opened the public hearing at 10:12 a.m. to receive comment on an application by Mike Connell dba J. C. Ranch for an 81 acre quarry accessed off Beaver Creek Road. Ms. DeBolt said the quarry was originally permitted in 2000 with four conditions. The applicant proposes to continue to mine sand and gravel for production of aggregate materials with crushing, screening, stockpiling and hauling of materials. She said the conditions reflect those similar to other quarries permitted in 2000 and 2006. Mr. Connell commented that the DEQ may require that the berms between the south and east quarry areas be removed during the reclamation process. He also asked and received approval to remove two temporary signs on the road that no longer apply to the operation.

The public hearing was closed at 10:16 a.m. The Board approved the Beaver Creek Connell Quarry with the following conditions:

1. Dust control on haul roads, County roads, stockpiles and work areas, as needed, as required in accordance with requirements of the County Engineer and Section 23 of the Zoning Rules.
2. The applicant shall cooperate with the County Engineer on any matters dealing with the integrity and safety of Beaver Creek Road, which may include signage, analysis, materials and supplies.
3. The permit shall be effective for 5 years, beginning from the day of approval by the BOCC.
4. Hours of operation are Monday-Friday 7:00 a.m. to 5:00 p.m., Saturday 7:00 a.m. to 1:00 p.m. and no hours of operation on Sunday.
5. During the school year, normal hours of trucking are suspended and shall be 9:00 a.m. to 4:00 p.m. Monday through Thursday; 7:00 a.m. to 5:00 p.m. on Friday; and between 7:00 a.m. and 1:00 p.m. on Saturday.
6. Emergency operating hours for crushing, screening and washing equipment and hauling may only be granted by the Board of County Commissioners.
7. The applicant shall ensure that trucking shall not exceed 35 mph on Beaver Creek Road.
8. All mining and crushing operations will be conducted to maintain existing undisturbed, natural berms of earth between the machinery/stockpiles and the south and east permit area boundaries.
9. The applicant shall provide to the County Engineer any permits or renewed permits as required by the State throughout the life of the quarry, as well as changes that may take place to the operation of the quarry due to changes in regulations or permissions from the State of Wyoming. This includes documentation that the site has been reclaimed to the satisfaction of the DEQ.
10. No site signage shall be permitted other than required permit signage by DEQ.
11. 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.

Chairman Maier advised the applicant that Findings of Fact, Conclusions of Law supporting the Board's decision would be prepared and mailed to him.

#### LOMAX LAND & LIVESTOCK QUARRY; Q-10-003

Chairman Maier opened the public hearing at 10:20 a.m. to receive comment on an application by James Lomax dba Lomax Land & Livestock for a 10-acre quarry on 880 acres, accessed off Amsden Road (CR#90).

Ms. DeBolt said the request is to quarry rip rap rock and smaller quantities of gravel, including topsoil and subsoil stripping, rock and gravel retrieval, screening, hauling and reclamation. No crushing would take place at the quarry. She said seven homes are within one-half mile of the site, two of which are owned by the applicant. She said

Mr. Lomax has requested a waiver from the requirement that no homes be located within one-half mile of a quarry, and he has outlined anticipated mitigation measures to alleviate potential impacts to nearby residents. Ms. DeBolt said several letters have been received in support and opposition. She said County Engineer Ken Muller has recommended the applicant gravel Amsden Road and cost share in the application of magnesium chloride. As the road is used for recreation on weekends, he suggested no quarry operations on Saturday and Sunday. The Town of Dayton's letter expressed concern about hauling on the paved portion of Tongue Canyon Road. The Sheridan County Conservation District letter sets out the need for 3-foot rock for the stream-bed project. Ms. DeBolt said Section G of the Zoning Rules states the Board must consider the health, safety and welfare of the citizens in the vicinity of the request which may affect viewsheds, noise and property values. The Planning and Zoning Commission voted 2-3 on a motion to approve the waiver, thereby recommending denial.

Mr. Lomax said the boulders from the proposed quarry would benefit the Tongue River restoration project by the Natural Resource Conservation Service. He said the quarry would help him financially and was surprised at the opposition. He proposed 100 s.f. quarry operations with reclamation on-going. He said this would cause a minimum of traffic with only one haul truck needed. Upon a question by Commissioner Nickel, he said smaller 6" pit run gravel could also be sold. Chris Scharen, CES Excavation, said there has been activity at the site as he had been burying holes to clean up the pasture. Emerson Scott commented that he has no problem with the quarry and thought dust could be mitigated by planting a crop as the area is reclaimed. He noted that other possible sites outside the one-half mile area would be visible from the county road. He said this would not be a large site quarry. Bill White said that the same complaints directed at the quarry could be applied to the houses now located along Tongue Canyon Road, causing traffic and visibility. He said he supported Mr. Lomax's property right to have a quarry.

Tim Kirven, representing certain landowners within the one-half mile radius, argued that the Board should follow its rules requiring no residents within one-half mile of a proposed quarry, and consider the health and welfare of the citizens. He asked, why have a quarry for such a small project over the objections of the residents? He then listed various stream projects over the last few years, saying that it would eventually get done.

There was a discussion on the one-half mile clause in the Rules and its meaning. After a brief recess, Mr. Connell stated he was on the Planning and Zoning Commission when the clause was added to the Rules, saying it was a simple clause to give the County control over conditions to make a quarry acceptable. He said it has now been twisted to have to prove a hardship. Norm Anderson, Town of Dayton Council President, commented that the town had submitted a letter recommending the town be compensated for heavy use, stating a street had to be replaced due to heavy truck traffic and that town streets are not designed for heavy traffic.

Various comments were made. Chris Scharen: He picked the spot so that houses would not be seen except for one. If the quarry site is moved, all houses would have a

view. Kay McManus: She researched quarries and found that people have noise, safety and dust concerns. Joann Scharen: She has lived on the Tongue River all her life and there has always been dust. Joe Feeley: The proposed quarry is in the Comprehensive Plan foothills protection area, in close proximity to big game winter range. Melissa Butcher: Homes within one-half mile is an exception, not the rule. Kate McManus: She applauds the Comprehensive Plan to preserve open space. Leo Wyatt: There is no other quarry with 3' x 3' rocks. The hearing was closed at 11:19 a.m.

Commissioner Maier said he appreciated the comments by Mike Connell on the intent of the one-half mile clause but could not see how the waiver would benefit or enhance the quality of life in this area. Commissioner Cram said quarries give the most concern to people. He said the Board's consideration of another quarry was eventually approved when it was pointed out that its interpretation was wrong. The intent was not for the Rules to stop a quarry, but to allow for the placement of restrictions. Commissioner Ringley said the Board must consider the health and welfare of people affected, but cannot ignore the property right of the owner. He said he supported the waiver. Commissioner Nickel said it was important to listen to the people affected. He thought the requested 7 years was too long, and there would be times of inconvenience with high wind. He noted quarries serve a good purpose but with noise and dust to these residents, he would vote to deny. Commissioner Rolston said he has listened to everyone and this is a tough decision, but that he was in favor of the waiver.

Commissioner Cram asked County Planner Mark Reid if he felt an incorrect interpretation was given to the Planning and Zoning Commission as to the need of the applicant to show a hardship for the waiver. Mr. Reid said that it was our understanding that a hardship was to be demonstrated. The County Attorney has since pointed out the interpretation was in error and that, in this case, a hardship is not required. Commissioner Cram said that this allows the Board to have control over what mitigation measures are taken. The Board approved the requested waiver, with Commissioners Maier and Nickel dissenting.

As a result of a discussion on the proposed conditions for the quarry, the Board decided that the landowners, the applicant and staff should work together on amending the conditions to mitigate concerns. The Board placed consideration of the quarry on the Table until June 15, 2010.

#### **CLEARMONT FIRE DISTRICT**

Keeping with County tradition, the Board waived all fees relative to a conditional use permit application and building and zoning permit application being submitted by the District to construct a new fire hall in the Wyarno area. To facilitate the building construction schedule, the Board said its consideration would be expedited by a special session of the Board on July 8.

#### **COUNTY ROAD 80**

Chairman Maier said this matter was postponed on May 18 to be considered today. There was no change in the proposal, so the Board authorized the Chairman to sign

Amendment 2 to the Agreement for Engineering Services with Entech, Inc. for construction administration of the County Road 80 Project, in an amount not to exceed \$191,000 for time and materials.

#### HISTORIC COURTHOUSE

The Board authorized the Chairman to sign the agreement with Associated Construction Engineering for design and construction administration to effect upgrades to the HVAC systems in the Historic Courthouse, in an amount not to exceed of \$32,200.

#### COURTHOUSE RENOVATION

The Board approved change order 3 to the agreement with O'Dell Construction to authorize fire sealant at existing penetrations between the third and fourth floors, painting of room 326, and additional outlets in the District Court room, at an increased project cost of \$1,950.

#### CHILD SUPPORT ENFORCEMENT

The Board approved the Cooperative Agreement for Responsibilities between the Wyoming Department of Family Services, Child Support Enforcement Unit, and the Sheridan County Clerk of District Court, setting out obligations of both parties, for a term from July 1, 2010 through June 30, 2012, in the amount of \$35,702.40.

#### GUARDIANS AD LITEM PROGRAM

The Board authorized the Chairman to sign the Memorandum of Understanding with the Office of the Public Defender providing for the Guardians Ad Litem Program, which provides legal representation in child protection, supervision or delinquency action cases, for a term through June 30, 2012, at a cost to the County of 25% of the State funds expended for this program.

#### LAKE DESMET COUNTIES COALITION

The Board approved Resolution 10-06-017, authorizing an allocation to the LDCC Emergency Maintenance Fund.

RESOLUTION 10-06-017  
EMERGENCY MAINTENANCE FUND  
LAKE DESMET COUNTIES COALITION JOINT POWERS BOARD

WHEREAS, the Lake DeSmet Counties Coalition Joint Powers Board ("LDCC"), consisting of Sheridan and Johnson Counties, established an Emergency Maintenance Fund for the purpose of funding unforeseen emergencies associated with the operations of Lake DeSmet Reservoir; and

WHEREAS, the Counties of Sheridan and Johnson recognize the need for assistance in financing such operations; and

WHEREAS, LDCC entered into a Project Agreement for Lake DeSmet Rehabilitation with the Wyoming Water Development Commission (PC No. 06000-20), dated August 30, 2005, and as amended on April 23, 2009; and

WHEREAS, Sheridan County allocated \$25,000 from its Sheridan County Emergency Reserves in fiscal year 2005-2006 for this purpose by Sheridan County Resolution 05-06-017; and

WHEREAS, Section 4.F of Amendment One to Project Agreement, dated April 23, 2009, stipulates that \$75,000 shall be deposited to the Emergency Maintenance Fund; and

WHEREAS, the Amendment to Joint Powers Board Agreement of Lake DeSmet Counties Coalition, dated July 6, 2004, sets out the LDCC contribution percentages as 55% Johnson County and 45% Sheridan County.

NOW, THEREFORE, BE IT RESOLVED that Sheridan County shall deposit \$33,750 constituting 45% of the required \$75,000 contribution, from its Emergency Reserves.

BE IT FURTHER RESOLVED that Sheridan County agrees that LDCC should maintain in full force and effect the Emergency Maintenance Fund for the term of Amendment One to Project Agreement for Lake DeSmet Rehabilitation.

BE IT FURTHER RESOLVED that this resolution supersedes all previous resolutions in conflict herewith.

ADOPTED this first day of June, 2010.

BOARD OF COUNTY COMMISSIONERS  
Sheridan County, Wyoming  
/s/Steve Maier, Chairman  
(Signature notarized.)

Attest:  
/s/Eda Thompson, County Clerk

#### COUNTY AUDIT

The Board authorized the Chairman to sign the engagement letter with Porter, Muirhead, Cornia & Howard to provide auditing services for the fiscal year ending June 30, 2010, at a cost of \$65,000 plus \$100/hour consulting fees if required.

#### COUNTY HEALTH INSURANCE

The Board approved Resolution 10-06-018, authorizing increases to employee health insurance contribution levels.

#### RESOLUTION 10-06-018 SHERIDAN COUNTY EMPLOYEE HEALTH CARE COVERAGE

WHEREAS, Sheridan County provides a health care insurance plan to employees;  
and

WHEREAS, due to increased medical costs, on May 3, 2005, the Board of County Commissioners required an employee to contribute \$100 a month for a spouse to be covered under the county health care plan; and

WHEREAS, due to increased medical costs, on June 19, 2007, the Board of County Commissioners required an employee to contribute \$125 a month for a spouse to be covered under the County health care plan; and

WHEREAS, the annual report from the health plan administrator indicates medical costs continue to rise.

NOW, THEREFORE, BE IT RESOLVED that an employee shall be required to contribute the following amounts for coverage under the County health care plan, in addition to that paid on the employee's behalf by Sheridan County:

Employee	\$ 69.45
Employee/Child(ren)	\$126.30
Employee/Spouse	\$154.05
Employee/Family	\$211.05

BE IT FURTHER RESOLVED that this resolution supersedes all previous resolutions in conflict herewith.

BE IT FURTHER RESOLVED that this resolution shall become effective July 1, 2010.

ADOPTED this first day of June, 2010.

BOARD OF COUNTY COMMISSIONERS

Sheridan County, Wyoming  
/s/Steve Maier, Chairman  
(Signature notarized.)

Attest:  
/s/Eda Thompson, County Clerk

COUNTY CLERK

County Clerk Eda Thompson read a letter advising of her appointment of Kim Hein to Chief Deputy Clerk. She said Sheridan is the only County clerk's office in the state without a Chief Deputy. Ms. Thompson said Ms. Hein, a 13 year employee, has served for the past nine years as the Office Manager of the Clerk's Office and is well qualified for this appointment. Ms. Hein is now authorized to perform the duties of County Clerk in the Clerk's absence. The Board consented to the appointment of Kim Hein as Chief Deputy Clerk.

PLANNING AND ZONING COMMISSION

The Board appointed Michael Mellgren to a second three-year term on the Sheridan County Planning and Zoning Commission, his term running through June 30, 2013.

COUNTY RECREATION

The Board reappointed Terry Cram to Position 1 on the Sheridan County Parks and Recreation Board. The five-year term runs retroactive from January 4, 2010 through January 5, 2015. Commissioner Cram abstained from voting on this issue.

COUNTY COURTHOUSE

Administrative Director Renee Obermueller advised that additional work remains to the public areas on the first floor of the Courthouse. Lighting, computer sensors, fire alarm sprinklers, woodwork, and interior entry doors need to be ADA compliant. The Board approved an agreement with TSP, Inc. for a small construction project to address these upgrades to the Courthouse first floor corridor and lobby, in an amount of \$14,150, for a period of twelve months. The agreement is for architectural design and administration of the construction contract.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 12:10 p.m.

BOARD OF COUNTY COMMISSIONERS

Sheridan County, Wyoming

Attest:

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Steve Maier, Chairman

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Eda Thompson, County Clerk