

Wheatland, Wyoming
August 14, 2006

RECORD OF PROCEEDINGS FOR THE
GOVERNING BODY OF THE
TOWN OF WHEATLAND

The regular meeting of the Town Council of the Town of Wheatland, Platte County, State of Wyoming was held in the Council Room of the Town Hall at 7:00 P.M., Monday, August 14, 2006, pursuant to the law.

Mayor Dingman called the meeting to order and upon roll call it was found that the following were present; Councilmen Wilhelm, Hensel and Wilson, Councilwoman Allen. Also present was Town Attorney, Doug Weaver, Town Clerk/Treasurer, Cindy Kahler and Town/County Planner, Marlin Johnson.

Mayor Dingman stated that three items needed to be listed to the agenda under "Unfinished Business" - #4 - Appointment of the Emergency Management Coordinator, #5, Floyd Annis request, #6 - Appointment to the Airport Board. A motion was made by Councilman Wilson and seconded by Councilwoman Allen to approve the agenda as amended. Motion carried 4-0.

The minutes of the regular meeting held on July 10, 2006 and the special meeting held on July 26, 2006 were presented. A motion was made by Councilman Hensel and seconded by Councilman Wilhelm to approve the minutes of the regular meeting of July 10, 2006 and the special meeting of July 26, 2006 as presented. Motion carried 4-0.

The vouchers for the month July, 2006 were presented for payment. A motion was made by Councilman Wilhelm and seconded by Councilman Hensel to approve the vouchers for payment as presented. Motion carried 4-0. The vouchers are as follows: Advantage Glass-supplies; Airgas-supplies-145.36; Allen's Part's-veh. maint-345.64; American Waterworks-dues-130.00; Atlas Office Products-supplies-137.05; Auto Electric-supplies-95.76; California Contractors-supplies-459.50; Carolina Software-software support-200.00; Caselle-software support-1265.00; Cobitco-oil-46,751.45; Communication Technology-supplies-935.95; Communications Source-supplies-100.14; Communicom-services-195.85; Consolidated Mfg-supplies-1023.90; Corporate Benefits-health ins-25,592.94; Crescent Electric-supplies-2041.65; Crystal Ice-supplies-84.00; Dana Kepner-supplies-1068.00; Dept. Of Employment-workers comp-5639.92; Diversified Inspections-truck testing-2019.60; Doug Weaver-attorney fees-1792.64; Drube's Mfg-supplies-306.17; Eastern Wyoming Ambulance-service-9625.11; Electrical Systems Consultants-747.00; Energy Labs-sampling-110.00; FSH Communication-phone-65.00; Faris Machinery-supplies-119.44; Farm Plan-supplies-1163.75; Fat Boy's-veh maint-46.50; Fig U Rose-supplies-25.00; Floyd's-veh maint-1413.47; Frank Implement-veh maint-133.25; G-M Road Marking-supplies-2851.25; Gall's Inc-supplies-410.70; Gases Plus-supplies-245.40; H/D Circle G-spraying-750.00; Hall's Safety-supplies-36.70; Huffer's Food Pride-supplies-216.36; ILEETA-dues-50.00; Intermountain Sweeper-supplies-81.33; Jack's Electric-supplies-138.83; Jim's

Refrigeration-supplies-859.00; J.O. Enterprises-supplies-135.01; Kilmer's-supplies-218.60; Kinder/Morgan-heat-398.49; Kois Brothers-supplies-461.41; Kriz Davis-supplies-1704.49; KYCN-adv-1246.00; Lawson Products-supplies-623.07; Lock Trucking-supplies-108.04; Long's Tree Spraying-spraying-5387.00; Lyle Signs-supplies-75.71; Lexis/Nexis-books-411.80; Midwest Hose-supplies-39.38; Mikes Printing-supplies-1990.82; Mike Priority-freight-66.03; Montana Electric-school-150.54; HSBC-supplies-465.43; Northwest Pipe Fittings-supplies-692.71; Pamida-supplies-200.76; PAWS-subsidy-2500.00; P.C. Record Times-adv-2822.05; Prairie Solutions-supplies-900.00; Quill Corp.-supplies-221.60; Qwest-phones-145.18; Shorey Electronics-supplies-294.84; Reis Environmental-supplies-3012.00; Rex Johnson-ins-400.00; Riverton Fire Department-school-790.00; Safeway Stores-supplies-75.90; Scenic ByWay-shares-3500.00; Seton Name Plate-supplies-1442.61; Sierra Springs-supplies-51.93; Simon Contractors-supplies-567.69; State of Wyoming-discharge permit-100.00; State of Wyoming-sales tax-6926.92; Streichers-supplies-189.90; Subway-supplies-415.60; Sunshot Engineering-engineering-236.00; Symbol Arts-supplies-25.00; Terminix-supplies-104.01; Corporate Office-supplies-207.25; North Platte Physical Therapy-fitness program-175.00; Verizon Wireless-phones-330.80; Waterous Company-supplies-340.11; Wesco Receivables-supplies-2026.00; Wheatco Sales & Service-dsl-80.00; Wheatland Automotive-veh maint-235.86; Wheatland Coop-gas & dsl-5606.63; Wheatland Golf Club-mower-5000.00; Wheatland Fire Dept.-expenses-1645.56; Wheatland Fire Equipment-supplies-4585.52; Wheatland H.S. Cheerleaders-labor-1000.00; Bloedorn Lumber-supplies-918.83; Wheatland REA-power-1582.62; Wyoming Assoc. Of Mun.-renewal-300.00; Wyoming Investigators-dues-50.00; Wyoming Machinery-veh maint-72.79; Wyoming Retirement System-pension-2262.50; Xerox Corp-supplies-871.33; Sunshot Engineering-engineering-830.00; Orbitcom-phones-1869.56; Payroll-salaries-167,575.71; Total Vouchers-\$346,127.76.

Mayor Dingman read a proclamation designating September 20, 2006 as a day of "One Nation Under God" to be celebrated with the Mayor's Prayer Breakfast. Mayor Dingman also presented a letter from the Platte County Library, thanking the Town for their support.

Clerk/Treasurer, Cindy Kahler presented the financial report. A motion was made by Councilman Wilhelm and seconded by Councilman Hensel to approve the financial report as presented and place it on file. Motion carried 4-0.

Reports from the Police Dept., Public Works Dept., Planning Office, P.C. Chamber of Commerce, Wyoming Municipal Power Agency and Municipal Court were presented. Mayor Dingman stated that since there were no comments or concerns voiced, the reports would be placed on file.

Proposed Ordinance No. 725 was introduced on third and final reading. A motion was made by Councilman Wilhelm and seconded by Councilwoman Allen to approve proposed Ordinance No. 725 on third and final reading. Motion carried 4-0. Ordinance No. 725 follows in its entirety:

AN ORDINANCE AMENDING ORDINANCE NO. 419
AND THE LAND USE DISTRICT MAP OF THE TOWN
OF WHEATLAND, PLATTE COUNTY, WYOMING AND
REZONING THE PORTION OF THAT AREA DESCRIBED
HEREIN THAT IS ZONED RESIDENTIAL DISTRICT (R)
TO HIGHWAY BUSINESS DISTRICT (HB).

BE IT ORDAINED BY THE TOWN COUNCIL OF WHEATLAND, PLATTE COUNTY,
WYOMING.

Section 1. That a parcel of property within the Town Limits of Wheatland, Wyoming
described as follows:

Lot 8 of Block 100 of the Original Town of Wheatland, Section 14, Township 24, North
Range 68 West, Town of Wheatland, Platte County, Wyoming.

Which parcel is presently zoned Residential District (R) is hereby changed to Highway
Business District (HB).

Section 2. That the Land Use District map of the Town of Wheatland is amended in
accordance with this Ordinance.

PASSED AND APPROVED this 12th day of June, 2006 on first reading.

PASSED AND APPROVED this 10th day of July, 2006 on second reading.

PASSED AND APPROVED this 14th day of August, 2006 on third reading and final passage.

/s/ Joel Dingman, Mayor

Attest:

/s/ Cindy Kahler, Clerk/Treasurer

Proposed Ordinance No. 726 was introduced on third and final reading. A motion was made by
Councilman Hensel and seconded by Councilman Wilson to approve of proposed Ordinance No.
726 on third and final reading. Motion carried 4-0. Ordinance No. 726 in entirety follows:

AN ORDINANCE AMENDING ORDINANCE NO. 419
AND THE LAND USE DISTRICT MAP OF THE TOWN
OF WHEATLAND, PLATTE COUNTY, WYOMING AND
REZONING THE PORTION OF THAT AREA DESCRIBED
HEREIN THAT IS ZONED RESIDENTIAL DISTRICT (R)
TO GENERAL BUSINESS DISTRICT (GB).

BE IT ORDAINED BY THE TOWN COUNCIL OF WHEATLAND, PLATTE COUNTY,
WYOMING.

Section 1. That a parcel of property within the Town Limits of Wheatland, Wyoming described

as follows:

Lots 6 & 7 of Block 100 of the Original Town of Wheatland, Section 14, Township 24, North Range 68 West, Town of Wheatland, Platte County, Wyoming

Which parcel is presently zoned Residential District (R) is hereby changed to General Business District (GB).

Section 2. That the Land Use District map of the Town of Wheatland is amended in accordance with this Ordinance.

PASSED AND APPROVED this 12th day of June, 2006 on first reading.

PASSED AND APPROVED this 10th day of July, 2006 on second reading.

PASSED AND APPROVED this 14th day of August, 2006 on third reading and final passage.

/s/ Joel Dingman, Mayor

Attest:

/s/ Cindy Kahler, Clerk/Treasurer

Proposed Ordinance No. 723 was presented on third and final reading. A motion was made by Councilwoman Allen and seconded by Councilman Wilson to pass proposed Ordinance No. 723 on third reading and final passage. Motion carried 4-0. Ordinance No. 723 follows in its entirety:

AN ORDINANCE AMENDING PORTIONS OF THE WHEATLAND DEVELOPMENT CODE, SPECIFICALLY SECTION 7-9 DEALING WITH BUILDING INSPECTOR, SECTION 7-14(a) DEALING WITH PUBLIC NOTICE, SECTION 7-15© DEALING WITH FILING PROCEDURE, SECTION 7-23 (a) DEALING WITH BOARD OF ADJUSTMENT APPEALS, SECTION 7-26 DEALING WITH BOARD OF ADJUSTMENT APPEALS DEADLINES AND NOTICE, AND ADDING SECTION 7-27.1, FAILURE TO TIMELY FILE; ADDITIONAL CHARGES AND PENALTIES.

WHEREAS, Section 7-9 dealing with Building Inspector reads:

Section 7-9, Building Inspector

There is hereby established the position of building inspector, whose duty it shall be to enforce the provisions of this chapter; provided, That this enforcing activities herein permitted and directed shall not prevent or abolish the rights of other persons and officials to enforce this chapter as is now or as it hereafter may be provided by statute.

and

WHEREAS, Section 7-14 (a) dealing with public notice reads:

Section 7-14 Public Notice

(a) Prior to submitting the filing, the developer shall cause a certified letter

to be sent to each adjoining property owner by the planning office. The letter shall stated that the adjoining property owner or his representative shall appear in person at the planning commission hearing if he desires to make comments regarding the proposed development.

and

WHEREAS, Section 7-15 (c) dealing with the filing fee now reads:

Section 7-15. Filing procedure-Generally

- (c) Filing fee. All filings except for a home occupation permit shall be accompanied by a fifty dollar filing fee, plus one dollar per lot for subdivisions.

WHEREAS, Section 7-23 (a) dealing with Board of Adjustment appeals now reads.

Section 7-23 Board of Adjustment - Appeals generally

- (a) The appeal board for the following types of permit disapproval is the Town Board of Adjustment.
 - (1) Special Use Permit (compatible uses)
 - (2) Site plans or building plans
 - (3) Home occupations
 - (4) Private property in public right-of-way (structures)

and

WHEREAS, Section 7026 dealing with Board of Adjustment appeals deadlines and notice now reads:

Appeals to the board of adjustment shall be made in writing to the building inspector. Each notice of appeal shall be accompanied by a fifty dollar fee for administrative and advertising costs and four copies of the documents and proceedings from which the appeal is taken. Appeals shall be filed within ten days after date of the decision appealed.

All interested parties shall be given notice of the appeal within fifteen days prior to any hearing thereon.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WHEATLAND, WYOMING.

SECTION 7-9 OF THE WHEATLAND TOWN CODE IS HEREBY AMENDED TO READ AS FOLLOWS:

Section 7-9. Building Inspector and Planner

- (a) There is hereby established the position of building inspector, whose duties shall be to enforce the provisions of this chapter; provided, that his enforcing activities herein permitted and directed shall not prevent or abolish the rights of other persons and officials to enforce this chapter as is now or as it hereafter may be provided by statute.
- (b) There is hereby established the position of Planning and Zoning Officer (Planner), whose duties it shall be to enforce the provisions of the Wheatland Development Code of the Wheatland Town Code as amended; provided, that his enforcing activities herein permitted

and

directed shall not prevent or abolish the rights of other persons and officials to enforce this chapter as is now or as it hereafter may be provided by statute.

SECTION 7-14 (a) OF THE WHEATLAND TOWN CODE IS HEREBY AMENDED TO READ AS FOLLOWS:

Section 7-14 Public Notice

- (a) At the time the developer submits the filing (application), the Planner (Planning Office) shall cause a certified letter with notice of the application to be sent to the property owners or record within 140 feet, excluding streets, of the parcel in question at least ten days prior to the hearing. The letter shall state that the adjoining property owner or his representative shall appear in person at the planning commission hearing if he desires to make comments regarding the proposed development.

SECTION 7-15 (c) OF THE WHEATLAND TOWN CODE IF HEREBY AMENDED TO READ AS FOLLOWS:

Section 7-15 Filing Procedure - Generally

- (c) Filing fee. All filings shall be accompanied by a \$100.00 filing fee plus \$10.00 per lot for subdivisions. In the event the applicant proceeds with activities requiring a special use permit pursuant to Section 7-10 of the Wheatland Town Code before obtaining a special use permit, an additional \$100.00 filing fee will be required. The additional fee does not mean the special use permit will be approved.
 - (I) The payment of the additional fee and or the approval or denial of the special use permit does not preclude the Town from pursuing criminal charges that may be applicable for violating any Wheatland Town Code provisions or ordinances.

SECTION 7-23 (a) OF THE WHEATLAND TOWN CODE IS HEREBY AMENDED TO READ AS FOLLOWS:

Section 7-23 Board of Adjustment -- Appeals Generally

- (a) The appeal board for the following types of permit disapproval is the town board of adjustment:
 - (1) Special use permit (comparable uses)
 - (2) Site plans or building plans,
 - (3) Home occupations
 - (4) Private property structures in public right-of-way. Provided however, if the Board of Adjustment approves the private property in the public right-of-way the approval shall include an agreement with the Town, clarifying the owner may be

required to take any structures down at the owners's cost if the Town needs the right of way space for any reason. The agreement shall be signed by the property owner and the mayor, and shall be filed with the Office of the County Clerk prior to approval of a Building Permit.

SECTION 7-26 OF THE WHEATLAND TOWN CODE IS HEREBY AMENDED TO READ AS FOLLOWS:

Section 7-26. Same --Procedure; fee; deadline for filing; public notice Appeals to the board of adjustment shall be made in writing to the planner. Each notice of appeal shall be accompanied by a \$50.00 fee for administrative and advertising costs.

The Planning Office shall cause the filing and description of the area to be published in the official newspaper at least fifteen days prior to the hearing of the filing by the Board of Adjustment. The Planning Office shall cause a certified letter with notice of the application to be sent to property owners within 140 feet, excluding streets, of the parcel in question at least ten days prior to the hearing.

SECTION 7-27 IS HEREBY ADDED TO THE WHEATLAND TOWN CODE to read as follows:

Section 7-27.1 Same--Failure to timely file; Additional charges and penalties.

- (a) Additional fee: In the event the party appealing to the Board of Adjustment has already started or completed that which he is requesting the Board to consider, the party shall be assessed an additional \$100.00 fee. It should be noted the Board of Adjustment can deny the appeal, even if the additional fee is paid.
- (b) The payment of the additional fee and/or the approval or denial of the appeal does not preclude the Town from pursuing criminal charges that may be applicable for violating any Wheatland Town Code provisions or ordinances.

Passed and approved this 10th day of April, 2006 on first reading.

Passed and approved this 8th day of May, 2006 on second reading.

Passed and approved this 14th day of August, 2006 on third and final reading,

/s/ Joel Dingman, Mayor

Attest;

/s/ Cindy Kahler, Town Clerk/Treasurer

Mayor Dingman stated that due to the recent passing of Phil Dumars, the Town of Wheatland's Emergency Management Coordinator, he would like to appoint Scott Scheller to be the Town's Emergency Management Coordinator. He stated that the Governor would actually be responsible

for the appointment, however, he was going to recommend Scott Scheller. A motion was made by Councilman Wilhelm and seconded by Councilman Wilson to confirm the appointment of Scott Scheller as the Town's Emergency Management Coordinator and make that recommendation to the Governor. Motion carried 4-0.

Floyd Annis representing the Fast Draw Association had requested the Town support the shoot for another year. Mr. Annis stated that there are approximately 128 magazine articles being published on the program and that the event might possibly be televised on the Outdoor Channel next year. Stacy Reichardt was present and stated that the Chamber of Commerce fully supported the proposal by Mr. Annis to hold another Fast Draw event in Wheatland. A motion was made by Councilman Wilhelm and seconded by Councilman Wilson to contribute \$2500.00 to the event. Motion carried 4-0.

Mayor Dingman stated that he had been informed by Chuck Brown that he would like to resign from the Airport Board due to other commitments and he had recommended Norm Strickholm to replace him. Mayor Dingman stated that he would like to appoint Norm Strickholm to serve the remainder of Mr. Brown's term on the Airport Board. Motion carried 4-0.

Wyoming Community Gas representative, Stephanie Reeves was in attendance and presented a check in the amount of \$4,605.81 for the Town of Wheatland's rebate from Wyoming Community Gas. Mrs. Reeves stated that it has been the policy of Wyoming Community Gas that the rebate is to be used to for a community project and the project for Wheatland was the Centennial Wyoming Symphony event that was held in July.

Deputy Director of the Wyoming Retirement System, Harry Wales presented a "deferred compensation plan for public employees" and he requested the Town consider offering the plan to the employees as a benefit. Mr. Wales gave a brief presentation on the plan eligibility requirements, minimum amounts of investment and pay back to the participant. Councilman Wilson stated that he would like to look at the plan more thoroughly and suggested that a workshop might be in order. Mr. Wales offered staff assistance from the Wyoming Retirement System to participate in the workshop. Building Inspector, Steve Snook stated that he was a participant in the plan while employed by the State of Wyoming and he was in favor of the Town participating in the program.

Planner, Marlin Johnson presented a letter from Lennie Throne requesting a waiver for a special use permit for property he owns on South Wheatland Highway. Planner, Johnson stated that Mr. Throne had submitted an application for the construction of additional storage units on property he owns at 42 South Wheatland Highway. During the permitting process for the storage units, it was discovered that Mr. Throne needed a permit to operate the business of sales and rentals of tractor/trailer vans and an occasional auction on the property. Mr. Throne is requesting that the permit be waived as the trailer sales and rental business has been in operation since 1981. Councilman Wilhelm stated that it was his opinion that Mr. Throne was getting caught between some Ordinances that had just recently been changed regarding these types of businesses and he was in favor of waiving the application fees. Councilman Wilson stated that the permit in question is just "good housekeeping" as he indicated that all storage units are required to have a

special use permit now by ordinance and in certain cases it flags another issue which needs to be addressed. A motion was made by Councilman Wilhelm and seconded by Councilman Wilson to waive the \$50.00 filing fee for a special use permit for the trailer/van sales and rental business and occasion auctions for Mr. Lennie Throne. Motion carried 4-0. Mr. Throne is to contact Planner, Johnson and file the application for the special permit without fees.

Planner, Marlin Johnson presented a simple subdivision application from Hardy VonForell for the property at the southwest corner of the intersection of East Oak Road and Kennedy Drive. Mr. Johnson gave the staff report, indicating that the applicant wishes to create three parcels of five (5) acres and one parcel of fifteen (15) acres from one existing parcel as shown on the site plan. The access approaches for the five acre parcels would be from East Oak Road and the access approach for the larger parcel is proposed to be from Kennedy Drive. All access approaches will require preliminary approval from the County Road and Bridge Superintendent. The property abuts the Town of Wheatland limits on the north side of the airport. As the land is within one mile of a municipal boundary, a resolution from the Town Council will be required approving the sketch plan and consenting to the processing of this application as a Simple Subdivision. Planner Johnson stated that the advantage to the proposal is the parcels would have good access to good roads and to the Town of Wheatland. The proposed lot sizes and supportive soils report for absorption systems should allow for adequate individual water supply and wastewater disposal systems. The disadvantage to the proposal is the proximity to the airport runway creates existing issues due to building setback requirements and also creates potential long term issues if the future Town airport is chosen to be upgraded at its current location. Staff does not feel that properties less than forty acres in size in the Agricultural Zoning District meet the intent of land use regulations, especially this close to a Town. Planner, Johnson stated that if the Simple Subdivision application were to be approved it should be with the conditions as stipulated in the Resolution. Councilman Wilson stated that the discussion on the VonForell Subdivision proposal should be addressed after the airport issue is resolved, which is the next item on the agenda. Mr. VonForell stated that he could deal with all the items stipulated on the Resolution concerning the airport. Mayor Dingman stated that since the Airport Board recommendations were the next item on the agenda, they would postpone further discussion on the VonForell Simple Subdivision application until after the airport discussion.

Airport Board Chairman, Steve Burnett presented the Airport Board's recommendations for the future of the airport as follows:

- A) That the existing airport remain at its current site and be selected for development.
- B) That the Town Council acquire approximately 70 acres of land that would allow the Airport to meet B-2 Standards with a non-precision approach.
- C) The Town of Wheatland use the Entitlement Funds for this project totaling \$631,580.00 dollars for immediate improvements. There is a time concern as to the acceptance and signing of the ALP that must be done by November 1, 2006.
- D) That the new airport not exceed its current runway length of approximately 5900 feet.
- E) That the Wheatland Irrigation District, in conjunction with the Town of Wheatland and affected property owners move all concrete ditches, head gates, parshal flume and division box north of the new boundary fence creating the necessary free zone as part of this project.

- F) That GDA design and construct the temporary or overlay portion for the apron pavement and utilize the entitlement funds for this purpose. Also, consider the approval of 10 tie downs again using the entitlement funds.
- G) That the simple subdivision request of VonForell Herefords, Inc. conform to the height and setback requirements as prescribed by the FAA.
- H) That an immediate review of the pavement be conducted and a strategy developed to keep the runway intact for 7 to 10 years.

Councilman Wilson stated that it was his opinion that the airport move to another location to allow for future growth. Several people in the audience expressed support for the recommendations from the Airport Board. A motion was made by Councilman Hensel and seconded by Councilman Wilson for discussion. After further discussion, Mayor Dingman called for the vote- voting yes-Councilman Hensel, Voting no - Councilmen Wilhelm and Wilson, Councilwoman Allen. Mayor Dingman declared the motion failed 3-1 and he expressed concerns about the future of the airport.

Mayor Dingman stated that the VonForell Simple Subdivision would be brought back to the table for discussion. Planner, Johnson stated that the Resolution covered all of the concerns of both the Platte County Planning and Zoning Board and the Town of Wheatland Planning and Zoning Board. A motion was made by Councilman Wilson and seconded by Councilwoman Allen to adopt the Resolution supporting the application for a Simple Subdivision as submitted by Hardy VonForell. Motion carried 4-0. The Resolution is as follows:

RESOLUTION

WHEREAS, the Platte County Zoning Rules and Regulations require municipal approval of sketch plans for simple subdivision applications within a mile of a municipal boundary, and

WHEREAS, the County may classify a sketch plan as a simple subdivision providing the town council approves the plan and consents to the processing of the application as a simple subdivision, and

WHEREAS, the Town Council has reviewed the sketch plan for a simple subdivision proposal by VonForell Herefords, Inc and approved of the plan with the following conditions:

1. That the Town of Wheatland pass a resolution approving the sketch plan and consenting to the processing of this application as a Simple Subdivision.
2. That the property be rezoned to Residential District prior to filing of a plat.
3. That the necessary agreement with the Wheatland Irrigation District be submitted to the Planning Office prior to filing of a plat.
4. That a forty-foot (40') wide strip of right-of-way be dedicated to the public along the entire subdivision frontage for East Oak Road and Kennedy Drive.
5. That the strip of land adjacent to the runway that would need to be acquired by the Town, as represented on the site plan, be identified on the final plat as property that will be dedicated to the Town of Wheatland if the current airport site is chosen as the upgraded facility.
6. That the applicant sign a formal agreement with the Town, to be filed at the Office of the

- County Clerk, noting that the property identified in Condition 5 will be sold to the Town.
7. That a note be placed on the plat describing the limitation of structural development as recommended by GDA Associates and/or the Town of Wheatland noting the restriction zone that must be maintained for maximum height of structures beyond that line, as necessary and required.
 8. That no access to proposed Lot 4 from Kennedy Drive be allowed in the strip of land that might become Town property;
 9. That the applicant sign a formal agreement with the Town noting that irrigation infrastructure issues be accomplished in a manner satisfactory to all governing entities, including the Town and the County.
 10. That a note be placed on the plat requiring the FAA Form 7460-1, Notice of Proposed Construction or alteration near an Airport, be completed by the applicant and submitted to the FAA for their input prior to any construction on the lot(s).
 11. That subdivision name be submitted for review and approval prior to filing of a plat;
 12. That a plat be filed within one year of approval, and
 13. That the necessary disclosure statements appear on the plat and all other pertinent documents.

NOW THEREFORE, be it resolved by the Governing Body of the Town of Wheatland, that the Town of Wheatland agrees that the subdivision application proposed by VonForell Herefords, Inc. on property located in part of the N1/2NW1/4 of Section 17 (as described in Book 411, Page 013) Township 24, North, Range 67, West, Platte County, Wyoming may be processed by Platte County as a simple subdivision per the Platte County Zoning Rules and Regulations.

Dated this 14th day of August, 2006.

/s/ Joel Dingman, Mayor

Attest:

/s/ Cindy Kahler, Clerk/Treasurer

After a brief discussion, Councilman Wilhelm made a motion to reconsider the recommendations from the Airport Board for the future of the airport in Wheatland. Councilman Wilson seconded the motion for discussion. Councilwoman Allen asked Airport Board Chairman, Steve Burnett why the Board felt that the present site was the best location for the airport. Chairman Burnett stated that the Board had considered two sites, over several meetings, and the consensus was that the existing site and runway length would meet all the requirements of a B-2 airport and with a non-precision approach it would be as safe or safer than the other site. It's location makes it quickly accessible for emergency vehicles such as flight for life as another site could add more time in those situations. He discussed flight patterns and the use of a non-precision approach system. Chairman Burnett stated the Board had discussed such hazards as towers and water fowl and the existing site appears to have none of those hazards and the other site under consideration could have. After a lengthy discussion, Councilman Wilhelm called for the question on the reconsideration on the original motion made by Councilman Hensel to approve the recommendations of the Airport Board as presented. Voting No. - Councilman Wilson, Voting yes- Councilman Wilhelm and Hensel, Councilwoman Allen. Mayor Dingman declared the motion carried 3-1 and thanked the Council for reconsidering the recommendations presented by

the Airport Board.

Wheatland Area Development Director, Linda Fabian presented two proposals to the Council for support of Planning Grants. She stated the grants would be \$25,000.00 each and each would require a 25% hard cash match, for an estimated total project cost of \$33,333.00 each. The first grant would be to discover the cost of developing the Imerys property in order to get it "Business ready. She stated that WADCO is requesting the Town sponsor the cash match in the amount of \$8,333.00. If the engineer's bid is less than the town's match would be less. Councilman Hensel asked if the Imery's site was in the Town limits and Town Engineer, Russ Schamel stated that it is not. Councilman Wilhelm made a motion to sponsor the planning grant for the Imery's property and provide one-half of the matching funds with the understanding that the County would provide one-half of the matching funds. Councilman Hensel seconded the motion. Motion carried 4-0.

WADCO Director, Linda Fabian stated that the second Planning grant that WADCO is requesting the Town sponsor would be to discover the cost of developing fifty-two acres of land on the west side of I-25 at Exit 80. This would include infrastructure and a 35,000 square foot building. The owners of the land, BH Inc., would be contributing the hard cash match in the amount of \$8,333.00. Again, if the engineer's bid comes in less than \$33,333.00 then the match would be less. A motion was made by Councilman Wilhelm and seconded by Councilman Wilson to sponsor the planning grant for the BH Inc., site with the understanding that BH Inc. would provide the matching funding. Motion carried 4-0.

Mayor Dingman stated that a Resolution placing a moratorium on the issuance of building permits for certain structures had been adopted on September 12, 2005 and Planner, Marlin Johnson had recommended that issue be re-visited. Councilman Wilhelm stated that Ordinance 717, Section 7-34, which was recently adopted addressed the issue of multi-family dwellings and he would make a motion that the moratorium placed on the issuance of building permits for two family dwellings, condominiums, apartment houses, townhouses and duplexes be rescinded. Councilman Wilson seconded the motion. Motion carried 4-0.

Mayor Dingman introduced proposed Ordinance No. 727 which concerned the salary for the Mayor and Council. Councilman Wilhelm stated that the salary for the Mayor should be \$300.00 a month and the Council salary should be \$100.00 per meeting with the understanding that only the newly elected officials would receive the higher salaries. Councilwoman Allen seconded the motion. Motion carried 4-0.

Linda Fabian thanked the Council for all the support the Town had given her on the refurbishing of the side of her building at 860 Gilchrist Street.

With no further business to come before the Governing Body, Mayor Dingman adjourned the meeting at 9:45 P.M.. The next regular meeting of the Town Council will be held on September 11, 2006.

Mayor, Joel Dingman

Attest:

Clerk/Treasurer, Cindy Kahler