

Wheatland, Wyoming  
April 14, 2008

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, April 14, 2008, pursuant to the law.

Mayor Hensel called the meeting to order and upon roll call it was found that the following were present: Councilmen Evans and Madsen, Councilwoman Allen. Also present were Town Attorney, Doug Weaver, Town Clerk/Treasurer, Cindy Kahler, Town/County Planner, Marlin Johnson and Town Engineer, Russ Schamel.

The agenda was presented and a motion was made by Councilman Madsen and seconded by Councilman Evans to approve the agenda as presented. Motion carried 3-0.

The minutes of the regular meeting held on March 10, 2008 and the special meeting held on March 24, 2008 were presented. A motion was made by Councilwoman Allen and seconded by Councilman Evans to approve the minutes of the regular meeting of March 10, 2008 and the special meeting of March 24, 2008 as presented. Motion carried 3-0.

The vouchers for the month of March, 2008 were presented for payment. A motion was made by Councilman Madsen and seconded by Councilwoman Allen to pay the vouchers as presented. Motion carried 3-0. The vouchers are as follows: A & A Earth Works-supplies-225.00; AW Direct-supplies-81.71; Airgas-supplies-137.39; Alexander Const.-supplies-2312.25; Allen's Part's-veh maint-47.47; Altec Inc-veh maint-3774.51; Amazing Monogramming-supplies-20.00; Andrew Starr-Snap On-supplies-30.15; Atlas Office Products-supplies-265.99; Auto Electric-veh maint-809.48; Barco-supplies-67.00; Botach Tactical-supplies-134.85; Brenda Allen-Council salary-150.00; Charles Budd-flags-202.00; CPS Dist.-supplies-117.87; California Contractors-supplies-150.00; Carolina Software-computer support-200.00; Chief Corp-supplies-649.84; Commercial Lighting-supplies-236.73; Communication Technologies-supplies-60.50; Communication Source-supplies-350.00; Communicom -internet-195.85; Consolidated Mfg-supplies-93.60; Contractors Materials-supplies-3.50; Covered Wagon Motel-lodging-130.00; Crescent Electric-supplies-1036.17; Crystal Ice-supplies-21.00; Dean Hensel-Mayor salary-300.00; Dept. Of Revenue-sales tax-8353.01; State Unemployment-workers comp-6496.14; Doug Weaver-attorney fees-1750.00; Double D Cleaning-janitorial-325.00; Drube's Mfg-supplies-92.42; Jason Evans-Council Salary-100.00; Eastern Wyoming Ambulance Service-service-9624.99; Ed Murray & Sons-insurance-2111.50; Emedco-safety supplies-451.93; Energy Equipment-supplies-86.47; Energy Labs-testing-540.00; Environmental Systems-computer systems-420.00; FSH Communications-phones-70.00; Farm Plan-supplies-646.32;

Fat Boy's-veh maint-175.70; Fig U Rose-supplies-48.00; Floyd's-veh maint-24.15; Gases Plus-supplies-49.60; Governor's Council -awards-30.00; Hawkins Chemical-supplies-421.00; Huffer's Food Pride-supplies-169.27; IACP-dues-120.00; IALEFI-dues-55.00; Jack's Electric-supplies-180.01; Jim's Refrigeration-supplies-2224.00; Kilmers Dist-supplies-436.65; Killion Truck Lines-freight-3755.43; Kois Brothers-supplies-1831.04; Kriz Davis-supplies-1457.94; Kussmaul Electronics-supplies-271.06; KYCN-adv-30.00; Laramie Peak Motors-veh maint-620.38; Lathrop Equipment-supplies-6373.95; Lawson Products-supplies-520.34; Littlejohn Inc.-supplies-713.88; Lock Trucking-veh maint-34.50; Alan Madsen-Council Salary-150.00; MES-Rocky Mtns-supplies-367.04; Mikes Printing-supplies-895.66; Mike's Priority-freight-53.79; Mike Taylor-supplies-196.61; Montana Electric-dues-391.56; NACOP-dues-125.00; National Fire Protection-books-341.95; HSBC-supplies-96.16; Noyce's Shop-supplies-17.82; Orbitcom-phones-1695.49; P.C. Little League-sponsor-75.00; Pamida-supplies-101.44; Parkway Plaza-lodging-548.70; Record Times-adv-3030.51; Piper's-supplies-204.16; Project Safe-subsidy-7000.00; Quarry Fencing -supplies-500.00; Qwest-repairs-812.34; Respond First Aid-safety supplies-807.00; Safety Kleen-supplies-150.26; Sandy Lipps- reimbursement-156.57; Scott Scheller-emergency mgmt.-200.00; Sparkletts-supplies-19.00; Skarshaug Testing-testing-101.64; Slafter Oil-supplies-1157.61; Steve Snook-conf. expenses-235.58; Steve Geile-Council salary-100.00; Stewart/Stevenson-supplies-277.96; Sunshot Engineering-engineering-1218.00; TW Enterprises-supplies-1043.70; The Light House-supplies-116.08; Supply Cache-supplies-348.75; Total Fitness Center-fitness-213.00; Traveler's-ins-101.00; Tri County Fire-supplies-66.00; Tri State Welding-supplies-227.44; TriHydro-landfill monitoring-685.21; Upbeat-supplies-383.50; Verizon Wireless-phones-365.83; Wagner Electronics-supplies-383.92; WESCO -supplies-469.38; Western United Electric-supplies-143.75; Wheatland Automotive-veh maint-1941.27; Wheatland Coop-gas & dsl-9990.29; Wheatland Vol. Fire Dept.-expenses-112.52; Wheatland Fire Equipment-supplies-388.23; Wheatland H.S. - adv-50.00; Bloedorn Lumber-supplies-360.74; Wheatland REA-power-1616.27; Wyo. Chapter IAEI-training-160.00; Wyo. Community Gas-supplies-14.05; Wyoming Machinery-supplies-215.08; WYOPASS-dues-50.00; Xerox Corp-supplies-836.78; Wyo. Mun. Power Agency-power-134,468.05; Salaries-payroll-162,887.87; Ace Hardware-supplies-13.56; Crescent Electric-supplies-1189.18; Jack'e Electric-supplies-67.26; Wester/Wetstein-engineering-6491.41; Sunshot Engineering-engineering-6493.00; WLC Engineering-planning-3731.15; Platte County-Imery's grant-346.75; Source Gas-heat-8436.95; Qwest-phones-144.33; Total Vouchers-427,993.79.

Mayor Hensel read a proclamation urging citizens to celebrate Earth Day, April 22, 2008.

#### EARTH DAY PROCLAMATION

WHEREAS, the first Earth Day was celebrated on April 22, 1970, with the goal of inspiring environmental awareness and encouraging the conservation, protection, and appreciation of our nation's natural resources; and

WHEREAS, it is the responsibility of each of us to safeguard the environment, by recognizing that all human life depends upon the Earth and upon one another for our mutual existence, well-being, and development; and

WHEREAS, the steps we can take to protect and preserve our natural environment through education, partnerships, and positive actions should be encouraged in Wheatland; and

WHEREAS, the citizens of Wheatland are committed not only to the protection and preservation

of our environment, but also to the restoration of ecosystems and habitat; and  
WHEREAS, Wheatland citizens, staff and elected officials are working closely with federal, state, local and tribal governments, and with non-governmental organizations to develop and implement regulations and ordinances specifically designed to preserve and improve Wheatland's fragile ecosystems and the quality of life therein; and  
WHEREAS, Wheatland proudly recognizes all who participate in Earth Day, for their dedication to taking a proactive role in shaping the future of our environment and in protecting Wheatland precious natural resource.  
NOW THEREFORE, We the Governing Body of Wheatland Wyoming do proclaim April 22, 2008, as Earth Day and urge all citizens to be mindful of local, state and national laws which protect our environment, and to join in efforts to preserve the beauty and wonder of lands, skies, and water of the Earth in all its diversity.

Dated this 14<sup>th</sup> day of April, 2008.

/s/ Mayor, Dean Hensel

Attest:

/s/ Cindy Kahler, Town Clerk/Treasurer

Mayor Hensel read a proclamation urging citizens to celebrate Arbor Day on April 25, 2008.

#### ARBOR DAY PROCLAMATION

WHEREAS, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and  
WHEREAS, the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and  
WHEREAS, Arbor Day is now observed throughout the nation and the world, and  
WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, lower our heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and  
WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and  
WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and  
WHEREAS, trees, however they are planted, are a source of joy and spiritual renewal,  
NOW THEREFORE, I Dean Hensel, Mayor of the Town of Wheatland do proclaim April 25, 2008 as ARBOR DAY in the Town of Wheatland, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and further, I urge all citizens to plant and care for trees to gladden the heart and promote the well-being of this and future generations.  
Dated this 14<sup>th</sup> day of April, 2008.

/s/ Mayor, Dean Hensel

Attest:

/s/ Cindy Kahler, Clerk/Treasurer

Water Engineer, Larry Wester of Wester/Wetstein and Associates was present and led a discussion on the condition of the Black Mtn. Number Two Well. He stated that from discussions with the Water Dept. staff the well has been pumping sand over its history and the problem has become severe over the past few years. The well was cased with 16-inch diameter casing to a depth of 304 feet where the casing size was reduced to a nominal 12-inch diameter casing. From viewing the down-hole video, there is no fill in the well which suggests that the source of the sand is high in the well and therefore, probably up in the 16-inch section of the well. The split or parted seam in the casing would fit with the history of the well. The well was initially gravel packed, but over the years, much of the gravel pack above the problem area has probably leaked into the well and been pumped out. Now, it is likely that there is nothing to filter the sand out in the upper two sections of screen. In view of the current high costs associated with drilling wells and the forthcoming high demand period, he recommended installing a liner in the bottom 80 to 85 feet of the 16-inch casing. The liner would extend from the 16 X 12 inch reducer at a depth of 304 feet to above the top of the top screen at a depth of 235 feet. The liner would consist of two 10-foot sections of Johnson's Screen MUNI-PAK well screen. This is basically a well screen inside a well screen with a man-made gravel pack sealed between the two screens. He stated that it is expensive, but since only 20 feet is required to install this system across from the 16 inch screens, it is much cheaper than drilling a new well. Mr. Wester stated that his estimate would be 109,050.00 to line and rehabilitate the well.

Town/County Planner, Marlin Johnson stated that Steve Parmley had requested an extension to file his final plat and the Planning and Zoning Board had continued the matter until he explained his plan of development. Mr. Johnson stated that the Board is requiring Mr. Parmley to submit plans of what he is presently doing and what he plans to do with the property. A motion was made by Councilwoman Allen and seconded by Councilman Madsen to support the Planning and Zoning Board with the continuation of the extension request from Mr. Parmley until such time as they are satisfied. Motion carried 3-0.

Town/County Planner, Marlin Johnson stated that Elisa Juarez had withdrawn her application to split the property located at 39-41 15<sup>th</sup> Street.

Town/County Planner, Marlin Johnson presented an application from Alan and Pamela McIntosh requesting the vacation of public utilities on Lot 6, Block 6, Black Mtn. Village Subdivision Filing 1. Planner, Johnson stated that this is an undeveloped property with platted public utility easements; one being the east ten feet of the lot and the other being the south five feet of the lot. The applicants desire to construct a residence on their property, which includes the north half of Lot 7. Developing the property would be difficult with this easement in the middle. The only utility located in the easement at this time appears to be a Town electrical main. It will be the responsibility of the applicant to have this line moved to another location and to create any necessary easements to the satisfaction of the Town. All relevant utility companies and agencies have been notified of this request. If the vacation is approved the necessary procedures to record this vacation must be followed. The County Clerk should write in plain, legible letters across that part of this plat so vacated, the word "vacated", and also make a reference on the same to the volume and page in which said instrument of vacation is recorded. Planner, Johnson stated that

Planning Office had six recommendations should this request be approved.

1. That the easement along the east side of the property remain;
2. That an easement twelve feet (12') in width be created along the west side of Lot 6;
3. That an easement twelve feet (12') in width be created along the Lot 5-Lot 6 property line, with six feet (6') of said easement on each side of the shared property line;
4. That the applicant be responsible for all costs associated with re-locating the Town electrical line to the new easements.
5. That the applicant be responsible for creation of the instruments of easement vacation and easement creation; and
6. That the vacation of the easement be recorded on the plat per State Statute.

Planner, Marlin Johnson stated that the Planning and Zoning Board had approved the request from Alan and Pamela McIntosh with a “do pass” recommendation to the Town Council with the six conditions as specified by the Planning Office. A motion was made by Councilman Madsen and seconded by Councilman Evans to accept the recommendation from the Planning and Zoning Board and approve the application from Alan and Pamela McIntosh to vacate utilities in Lot 6 Block 6, Black Mtn. Filing 1 with the conditions as specified by the Planning Office. Motion carried 3-0.

Planner, Marlin Johnson presented an application for a simple subdivision from Robert Sinnard for property located at 139 Preuit Road. He reported that this application had originally been submitted when the property was owned by Mary Bowen. Since that time two 35 plus acre exempt parcels were created, one owned by Robert Sinnard and the other by Kenneth and Patricia Jenkins. The applicant would like the final land transaction to allow a five acre piece abutting Preuit Road for a residence, with the bulk of the property being transferred into the resulting larger portion to be owned by the Jenkins. The Jenkins also own a large parcel south of this property. A request to rezone to Residential District was also submitted as the Planning Office suggested that an appropriate rezone of any smaller parcels would be required. As the land is within one mile of the Town of Wheatland the Town must approve of this subdivision. Planner, Johnson indicated that the Planning Office had recommended approval of this subdivision request with the following ten conditions:

1. That only one parcel less than thirty-five acres be created.
2. That said parcel be a minimum of five (5) acres, less any right-of-way granted to the public;
3. That all of the remaining property in this subdivision request be merged with the adjacent Jenkins parcel;
4. That a proposed subdivision name be submitted for review and approval prior to filing of a plat;
5. That a plat of the subdivision be filed within one (1) year of approval.
6. That a written statement from the Wheatland Irrigation District be provided stating approval of the water plans for the subdivision and the rezone prior to submittal of a plat;
7. That thirty-foot (30') wide strip of right-of-way be dedicated to the public along the subdivision frontage for Preuit Road.
8. That an additional ten foot (10') public utilities easement be created adjacent to the right-of-way along Preuit Road.
9. That the property be rezoned to Residential District upon filing of a plat; and

10. That the necessary disclosure statements appear on the plat and all other pertinent documents.

Planner, Johnson stated the County Planning and Zoning Board had forwarded this application to the Commissioners without a recommendation, since there appears to be a difference of interpretation in the County rules regarding this type of subdivision. However, he stated the Town Planning and Zoning Board had approved the application from Robert Sinnard for a Simple Subdivision and recommended a "do pass" to the Council with the ten conditions as specified by the Planning Office, with the understanding that the County Commissioners would make the final decision. A motion was made by Councilman Evans and seconded by Councilwoman Allen to accept the Planning and Zoning Board's recommendation and approve the Simple Subdivision application as submitted by Robert Sinnard with the ten conditions as specified by the Planning Office. Motion carried 3-0. The Council decided to continue the Resolution for the Simple Subdivision until the County Commissioner's have addressed the application.

A draft Ordinance was presented to prohibit animals in the municipal Parks, Baseball Fields and Cemetery. Town Clerk/Treasurer, Cindy Kahler stated that the City Hall had received several calls in opposition to the proposal. After a discussion the Council decided to continue the proposed Ordinance until the Town Attorney had time to develop it further.

Clerk/Treasurer, Cindy Kahler reported that the Airport Engineers (GDA Engineering) had opened bids for the rehabilitation of the apron at the runway and the bids were as follows:  
Simon Construction - 815,639.72  
71 Construction - 713,910.00  
Century Companies - 777,250.00

GDA Engineering had recommended approval of the apparent low bid of 71 Construction. A motion was made by Councilwoman Allen and seconded by Councilman Madsen to accept the apparent low bid of 71 Construction for the rehabilitation of the apron at the airport as per GDA Engineering's recommendation and authorize the Mayor and Town Clerk to execute all the necessary documents. Motion carried 3-0.

A catering permit application from Vimbo's/Dusty Boots was presented for Friday, April 25, 2008 for the Chamber of Commerce Banquet. A motion was made by Councilman Evans and seconded by Councilwoman Allen to approve the catering permit application from Vimbos/Dusty Boots for Friday, April 25, 2008 at the minimum fee allowed by law. Motion carried 3-0.

A Resolution concerning the establishment of a WyoLink tower in Wheatland was presented. A motion was made by Councilman Madsen and seconded by Councilman Evans to approve the Resolution as presented. Motion carried 3-0. The Resolution is as follows:

#### RESOLUTION

WHEREAS, on March 5, 2008, Wyoming Governor Dave Freudenthal signed a General

Government Appropriation Act which provided restriction to direct distribution funding and county block grants, and

WHEREAS, that restriction provided the following:

Any political subdivision which impedes the establishment for any necessary cellular tower or other equipment site required for the WyoLink interoperable public safety communications system on any property owned by that political subdivision shall not be eligible to receive monies distributed under this section.

Senate File 1 (Enrolled Act 23) at Section 328 (j) on page 70 and at Section 329 (j) on page 87.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WHEATLAND, WYOMING, the Town of Wheatland will not impede the establishment of a WyoLink interoperable public safety communication system on property owned by the Town of Wheatland.

THIS RESOLUTION being approved by the governing body of the Town of Wheatland on the 14<sup>th</sup> day of April, 2008/

/s/ Dean Hensel, Mayor  
/s/ Alan Madsen, Councilman  
/s/ Brenda Allen, Councilwoman  
/s/ Jason Evans, Councilman  
/s/ Steve Geile, Councilman

Attest:

/s/ Cindy Kahler, Clerk/Treasurer

With no further business to come before the Governing Body, Mayor Hensel adjourned the meeting. The next regular meeting of the Town Council of the Town of Wheatland will be held on Monday, May 12, 2008.

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Mayor, Dean Hensel

Attest:

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Town Clerk/Treasurer, Cindy Kahler