

POLICY ON THE INSTALLATION AND MAINTENANCE OF CATTLE GUARDS UPON COUNTY ROADS

This policy of the Board of County Commissioners is for the installation of cattle guards upon any maintained or non maintained county roads. This policy is necessary since approximately 1,000+ miles of county roads exist in Crook County and the county does not have the funds to install and maintain cattle guards at every landowner property boundary on all of the county roads in Crook County. Landowners do not have a right to install cattle guards upon county roads and the County has the right to regulate the use of the county road. This policy is not binding upon the Board of County Commissioners but is an attempt at a guideline to best use the limited resources of Crook County.

The County prefers that county roads are lane fenced to keep livestock off the road and avoid causing additional maintenance of county roads and of the cattle guards. Persons that sell or divide land should transfer property along the centerline of the county road so that they can lane fence the road at a minimum of 33 feet from the centerline of the road and 50 feet is preferred so that snow may be plowed without destroying the landowners' fence. Cattle guards will not be installed in large lot developments, subdivisions or other divisions of land just because new property boundaries were created that traverse the road. The placements of new cattle guards where one has not existed before should be limited to no more than one (1) per mile along a County Road.

The removal rather than the replacement of cattle guards is encouraged. If there are any special needs or requirements by the requesting party they shall be paid for by them ahead of time.

The requesting party shall pay for the installation of any cattle guard requested.

PROCESS FOR CATTLE GAURDS

1. To start the process the party requesting to install a new cattle guard upon a county road shall schedule an initial meeting with the Road and Bridge Department.
2. The requesting party shall provide a completed and signed "Agreement for Installation of Cattle Guard" together with a check for the appropriate amount; a map from the Road and Bridge Office that shows the road, road number, land ownership overlay; and shall research and obtain the mailing addresses of all adjoining surface owners from the County Assessor's Office, and any other information they feel may be relevant.
3. This information will be provided to the Road and Bridge Department before the time of the initial meeting. It will be used later by the Board of County Commissioners, Road and Bridge Department, and County Attorney pertaining to the road in question at the time of the initial meeting.
4. INITIAL MEETING: At the initial meeting at the Road and Bridge Department Office will:
 - a. Review the information provided by the requesting party;
 - b. Determine where there are already existing cattle guards on the entire road and any adjoining road;
 - c. Determine who the adjoining landowners are and if existing fence lines are on the actual legal boundary between landowners or an agreed upon location between

- the adjoining land owners. Any fencing is up to the landowners and must be agreed upon between them.
- d. Review the information provided by the requesting party and any other information that he deems necessary including discussions with staff and the adjoining landowner.
 - e. Review the "Agreement for Installation of Cattle Guard" to make sure it is properly prepared.
 - f. If the Road and Bridge Superintendent determines from the paperwork that the application should not be considered then he will notify the requesting party by first class mail.
5. If the Road and Bridge Superintendent determines that the county should or should not consider the application then he may:
- a. Set a time for one of the Commissioners to view the proposed cattle guard with the requesting party, the adjoining landowner and the Road and Bridge Superintendent and others they deem necessary and notify them in some reasonable manner.
 - b. Set a time on the County Commissioners' calendar no less than two weeks before the Commissioners meeting for the Commissioners to review and approve the "Agreement for Installation of Cattle Guard".
 - c. If after the viewing of the proposed installation the Road and Bridge Superintendent determines that the county should not consider the application then he will notify the requesting party and adjoining landowner by first class mail.
6. If the requesting party or adjoining landowner disagrees with the Road and Bridge Department's decision then the requesting party or adjoining landowner may within 30 days request that the County Commissioners review the matter at a County Commissioners meeting not less than 14 days from the date on the notice of denial.
7. The County Clerk shall by first class mail notify the requesting party and adjoining landowner of the review of the Road and Bridge Department's decision by the County Commissioners.
8. NEXT MEETING: If the Road and Bridge Department approves the application after viewing of the roadway, the requesting party, adjoining land owner and Road and Bridge Superintendent will need to meet with the entire Board of County Commissioners.
- a. The Road and Bridge Superintendent will state whether or not a cattle guard should be installed and what type and width the cattle guard should be.
 - b. If requested the County Attorney will give the legal status of the road.
 - c. If requested the Sheriff should be present to provide input on traffic, speed, or any other problems that may be an issue.
 - d. If requested the Growth and Development should give their input.
 - e. Any adjoining landowners should also be given notice so they may be present and give their input.
9. If the Board of County Commissioners allow for the installation of a cattle guard they will enter into the "Agreement for Installation of Cattle Guard" and require the requesting party to pay for all costs as set forth in the agreement. Any agreements will be entered into with parties in writing with the appropriate financial guarantees.

10. If the Board of County Commissioners deny the installation of a cattle guard the requesting party may not make another request for two years.
11. The "Agreement for Installation of Cattle Guard" shall be recorded in the County Clerk's Office and the appropriate Road File.

MAINTENANCE OF CATTLE GAURDS

1. Once a cattle guard is in place, it becomes the property and responsibility of Crook County. If a cattle guard is replaced it remains property of Crook County. If a cattle guard is removed from service it becomes the property of original landowner that entered into the agreement for installation.
2. No one but the Road and Bridge Department shall clean the void below the cattle guard surface. Landowners should notify the Department if the cattle guard needs cleaned at least 30 days before they turn in livestock.
3. Cattle guards will not be cleaned in the winter months due to snow build up; this is unavoidable and affects all cattle guards in the county.
4. In the event that cattle guard is full of dirt or snow, no object can be placed across cattle guard to deter livestock from walking the cattle guard.
5. County maintenance ends at the wing post, county will provide no fence maintenance.

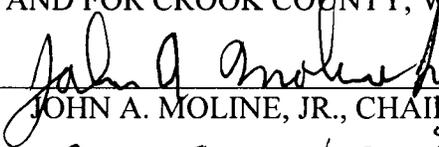
FENCING

1. All fences parallel with the road shall be set back a minimum of 33 feet from centerline of the road unless the landowner can provide a recorded easement showing a more restrictive right of way.
2. Any wire gates shall be placed to the side of the cattle guard as necessary, but is the responsibility of the landowner(s).
3. Cattle guards shall be provided with wings and posts. The wings cannot be moved and must be used. Land owners may use the wing post as a brace post and not tie their fence to the cattle guard.

PASSED, APPROVED AND ADOPTED by the Crook County Commissioners on the 2nd day of June, 2010.

BOARD OF COUNTY COMMISSIONERS IN AND FOR CROOK COUNTY, WYOMING

BY

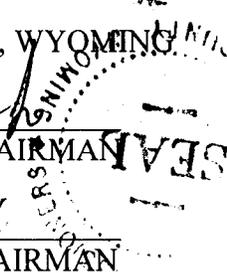

JOHN A. MOLINE, JR., CHAIRMAN

BY


J.W. HADLEY, VICE-CHAIRMAN

BY


KELLY B. DENNIS, MEMBER



State of Wyoming }

County of Crook }

Signed & attested before me on June 2, 2010 by John A. Moline, Jr., Chairman, J. W. Hadley, Vice-Chairman and Kelly B. Dennis, Member, Board of Crook County Commissioners.



Connie D. Tschetter

CONNIE D. TSCHETTER, CROOK COUNTY CLERK

(Seal)
MY TERM EXPIRES THE FIRST
MONDAY IN JANUARY 2011