COUNTY OF PLATTE, STATE OF WYOMING

OFFICIAL PROCEEDINGS
PLANNING & ZONING COMMISSION

Call to Order – Roll Call

The Planning & Zoning Commission, Platte County, Wyoming regular meeting held on September 8, 2026, in the Commissioner's Room at the Platte County Courthouse, Wheatland, WY. Chairman Shepard called the meeting to order at 7:00PM. Those present for the entirety of the meeting were, Marty Shepard, Commission Chairman; Bonnie Lockhart, Planning Commissioner; Jay Collins, Planning Commissioner; Bob Brockman, Commissioner; and Laura Bookout, County Planner.
Not in attendance was Bill Klein, Commission Vice-Chairman.

Approval of Minutes from both the August 11 and August 26, 2026, Meetings: Chairman Shepard asked if everyone had a chance to read the minutes from both the August 11 and August 26th, meetings. Chairman Shepard asked if there are no edits or additions needed, he would entertain a motion to approve the minutes. Member Collins moved to approve the minutes. Member Lockhart seconded the motion. Vote: Unanimous Approval. Motion carried.

Declaration of Conflicts of Interest: Chairman Shepard asked if any commission members had conflicts of interest to declare. No conflict of interest was voiced by the commissioners.

New Business: Chairman Shepard moved onto new business. Planner Bookout introduced Amanda Canada with Five Nine, the applicant, who is there to answer any questions. Planner Bookout read the following: Application: 26-29-SUP-FiveNine; Applicant: Amanda Canada on behalf of Five Nine Design Group; Address: 1A Richeau Rd, Wheatland, WY 82201; Location: Pt NE1/4NW1/4, Sec 22, T22N, R67W, Platte County, Wyoming; Zoning: RAM. Five Nine Design Group is looking to add an amplification station for an adjacent fiber-optic line that runs in the state highway right of way. This fiber-optic line is a backbone line that provides the fiber-optic infrastructure for the local internet providers. On the map shown on the screen, the orange highlighted areas are the fence and structures installed in 2023. The applicant is proposing to erect a new building that will act as an infra structure component to their underground fiber optic network. The building is an 864 square foot pre-manufactured modular unit 36'0" x 23'8" x 12'10" high. It is a precast concrete building with exposed coarse aggregate finish that is set on and anchored to a cast in place foundation. There will be no antennas, towers, or dishes at the site for this building. This is an unoccupied facility, not open to the public and locked at all times. Access is only permitted by trained and authorized service personnel. There is no water or septic required for the site. As this is an addition to the existing compound, the access has already been established and has already been addressed by Planning Department in 2023. Adjacent property owners were notified of the application via certified mail that went out July 30, 2026; a public notice was published in the Platte County Record Times on August 5, 2026; and a Public Notice sign was posted on the property on August 20, 2026. Platte County Road and Bridge have no issues with this project. No other agency comments came in. Recommendation Approval. No conditions were imposed upon the first Special Use Permit, PC-SUP-23-67, however, the approval letter stated the following: "This approval is only for the data and storage facility outlined in the above referenced application. Any additional structures may require another application." This permit should contain the same language as the first permit issued in 2023. Amanda answered questions from the Commissioners. Chairman Shepard opened the floor to public comments regarding this application. Josh Martinas, Lucinda Houchins, Letitia Lane, Milo Stevens, Kathryn Stevens asked clarifying and detail questions directly to the applicant and Amanda answered. Chairman Shepard closed public comment and brought it before the board for discussion and if there were no discussion he would entertain a motion. Member Collins made the motion with the addition of the first permit as stated "This approval is only for the data and storage facility outlined in the above referenced application. Any additional structures may require another application.". Member Lockhart seconded. Chairman Shepard voted. All in favor, none opposed, Motion carried.

Chairman Shepard moved onto the second item on the agenda, Revised By-Laws for the Planning & Zoning Commission. Planner Bookout went over the changes to the by-laws, as approved by the County Attorney's office. The changes are Page 1 current logo on the front and the approval dates will get updated; Page 2 Chapter 3 added Section 4. Rules of Hearing; Page 3 in 2 locations updated Wyoming State Statue dates and need to update Zoning Certificate definition to include construction certificate not building certificate; Page 4 updated Wyoming State Statute date and in Section 5 removed the Robert's Rules; Page 5 no changes; Page 6 Chapter 3 Section 1 to say just Agenda, the first 2 sentences updated to read "An agenda will be set pursuant to W.S. 16-4-401 through 16-4-408. There shall be a deadline for filing for placement on the agenda for applications/items which require public notice.", the third sentence was revised by the Commission to read "This deadline shall be in accordance with Platte County Land Use Rules and Regulations.". Section 2 General Order of Business updated to: A. Call to Order-Roll Call, B. Approval of Minutes, C. Declaration of Conflicts of Interest, D. New Business, E. Commission Discussion; Page 7 F. Old Business, G. Adjournment. The first 3 sentences were changed to read, "To provide for information to, and encourage the participation of citizens, individuals who wish to speak on any matter on the agenda may do so during the public comment period. Comments will not be accepted once the public comment period is closed. All comments must adhere to the attached Public Hearing Rules." Section 3. Order of Consideration changes were "a. Staff presentation and recommendation(s). b. Applicant presentation (optional) Appearance at Public Hearings: Any interested individual or group or their representative will be provided an opportunity to participate in a public hearing. c. Appearance will be granted in the following order: 1. Those individuals or groups who wish to speak for the proposal set for public hearing. 2.Those individuals or groups who wish to speak against the proposal set for public hearing. 3. Those individuals or groups who wish only to comment. d. The Commission may ask questions regarding the staff presentation. e. The Commission may ask any questions, at their discretion, and then proceed to vote. Unless postponed at the request of the petitioner, the Commission shall vote for or against the filing and transmit both its vote and findings to the applicant. The Commission may postpone the decision, for reasonable cause, for a maximum of thirty-five (35) days. f. The Commission action shall be based upon the purpose and intent of the Platte County Zoning Rules and Regulations and input received at the public hearing. Written Comments for Public Hearing: Any Individual or

group will be provided with an opportunity to submit written comments to be addressed to the Planning and Zoning Commission within the thirty (30) day public notice period prior to the public hearing. The deadline to receive written comments will be posted in the public notices. Written comments shall automatically be incorporated into the public hearing record.; Pages 8, 9, and 10 are all new Section 4. Rules of Hearings Whereas, the Planning & Zoning Commission ("Commission") will consider the following rules for all Planning & Zoning meetings from this day forth; and,Whereas, the Commission must weigh the public's interest in providing comments on the items to be considered while also weighing the public's interest in proceeding on the matters in an efficient manner. Whereas, the Commission expects public participation in all matters, the Commission may consider certain rules to ensure each attendee has reasonable time to make comments to the Commission, and that the Commission has adequate time to consider the comments made. Now, therefore, the Commission will adopt the following rules for use during all public hearings and all public meetings, for the purpose of considering business brought before the Commission.1.General Decorum Guideline: a. Commission members, staff, speakers and audience members will conduct themselves in a civil and respectful manner at all times during public hearings and/or public meetings.b.Failure to conduct themselves in a civil and respectful manner may result in removal from proceedings pursuant to W.S. § 16-4-406. c. *The Commission will only consider the business on the approved agenda.* 2. Rules for Speakers in the Public Comment portion of the hearing: a. Speakers must write their name, affiliation *and address* legibly on the Public Comment Sign In sheet prior to providing public comment (W.S. § 16-4-403(b)). i.Platte County Planning & Zoning Secretary will need to document each individual providing public comment. b. Each speaker must state their first and last name and affiliation prior to addressing the Commission. c.Speakers are requested to refrain from making disruptive comments that are: i. indecent or obscene; ii. intended to incite unlawful action or may put the safety of others at risk; iii. derogatory toward others, such as personal criticism, ridicule or name calling; and iv.intended to promote contests, lotteries, products, services, private enterprise, political candidates or ballot measures. d.Each speaker will be limited to three (3) minutes. Speakers are *required* to keep comments related to the business or applications presented. i.Commission members may ask questions at any time. When a Commissioner member initiates a question of a speaker, that time will not be considered as part of the speaker's three (3) minute allotted time. ii.This will be timed and strictly enforced. 3.Rules for Audience: a.Audience members shall refrain from distracting side conversations or speaking out during meetings. b.Audience members shall refrain from shouting, booing or other similar unruly behavior that impedes or disrupts the orderly conduct of the meeting. c.Audience members shall not approach the Commission table. Any items an audience member would like to present to the Commission are to be presented to the Secretary. The Secretary will hold the items until such time as the Commission requests to see the items.4.Enforcement of Decorum Rules: a.The Chair will request that a person who is violating a rule of decorum cease their behavior. b.If the behavior continues, the Chair will warn the person that he or she will be removed from the building if the behavior continues. c.If the behavior continues, the Chair will order the person to leave the building and may request law enforcement assistance to effectuate removal if necessary. d.Refusal to remove oneself from the meeting room when ordered to do so may result in criminal prosecution pursuant to W.S. 6-6-303. e.Pursuant to W.S. § 16-4-406, continued disruption may result in the Commission recessing the meeting and reconvene in another location. 5.Legal Status: a.Interpretation: Whenever the provisions of these regulations are found to be inconsistent with any other regulations, the regulations imposing the more restrictive standards shall control. The provisions of these regulations are minimum requirements that do not preclude imposition of more restrictive standards by agreement or by law. b.Amendment and Repeal: The repeal of any resolutions does not revive any other resolutions or portion thereof repealed by said resolutions. Such repeals do not affect nor prevent the prosecution or punishment of any person for the violation of any resolution repealed hereby for an offense committed prior to the repeal. c.Severability: Should any section or provision of these regulations be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the resolutions as a whole or any part thereof, which is not specifically declared to be invalid or unconstitutional. d.Effective Date: These regulations shall be in effect from the date of adoption by the Board of County Commissioners. e.Authority for Revision: Revisions to these regulations require review by the Planning Commission and approval by the Platte County Commissioners. The pages of these regulations shall reflect the current revision. A revision summary page will reflect a summary of each revision the date approved by the Platte County Commissioners. Wyoming State Statues reference above from the most current statue books, as of 2025.§ 16-4-403. Meetings to be open; participation by public; minutes. (a) All meetings of the governing body of an agency are public meetings, open to the public at all times, except as otherwise provided. No action of a governing body of an agency shall be taken except during a public meeting following notice of the meeting in accordance with this act. Action taken at a meeting not in conformity with this act is null and void and not merely voidable. (b) A member of the public is not required as a condition of attendance at any meeting to register his name, to supply information, to complete a questionnaire, or fulfill any other condition precedent to his attendance. A person seeking recognition at the meeting may be required to give his name and affiliation. (c) Minutes of a meeting: (i) Are required to be recorded but not published from meetings when no action is taken by the governing body; (ii) Are not required to be recorded or published for day-to-day administrative activities of an agency or its officers or employees. (d) No meeting shall be conducted by electronic means or any other form of communication that does not permit the public to hear, read or otherwise discern meeting discussion contemporaneously. Communications outside a meeting, including, but not limited to, sequential communications among members of an agency, shall not be used to circumvent the purpose of this act. § 16-4-406. Disruption of public meetings. If any public meeting is willfully disrupted by a person or group of persons so as to render the orderly conduct of the meeting unfeasible, and order cannot be restored by the removal of the person or persons who are willfully interrupting the meeting, the governing body of an agency may order the removal of the person or group from the meeting room and continue in session, or may recess the meeting and reconvene at another location. Only matters appearing on the agenda may be acted upon in a meeting recessed to another location. A governing body of an agency shall establish procedures for readmitting an individual or individuals not responsible for disturbing the conduct of a meeting. Duly accredited members of the press or other news media except those who participated in a disturbance shall be allowed to attend any meeting permitted by this section. § 6-6-303. Refusing to desist or remove oneself from facilities. No person within or upon the facilities of a governing body shall refuse to desist from a course of conduct or to remove himself from the facilities upon request by an authorized representative of the governing body, after having been notified that the conduct or the presence of the person is contrary to or in violation of established policies, rules or regulations of the governing body which are reasonably related to the furtherance of the lawful purposes of the governing body and incident to the maintenance or orderly and efficient use of its facilities for the purposes for which acquired or designated. Member Lockhart had questions in Chapter 2 Section 7, why is that there? The Commission does not handle funds. Planner Bookout

referenced her budget as the item that may apply. Planner Bookout will get clarification on Section 7 Expenditure of Funds. Planner Bookout noted Section 6 item 2 as well. Discussion was had on these two items. Chairman Shepard entertained a motion. Member Lockhart made a motion to approve the updated by-laws with the condition that the County Attorney's office clarifies Chapter 2, Section 6 and and correcting the table of contents and the zoning definition. Member Collins seconded. Chairman Shepard voted, all in favor, none opposed. Motion carried.

Chairman Shepard brought the next item on the agenda, Revised Fee Schedule. Planner Bookout opened the discussion. Chairman Shepard entertained Milo Stevens and Kathryn Stevens, even though there is no public comment on this item. Their questions were unrelated to the fee schedule. Chairman Shepard explained that the fee schedule was created to pay for the Planner position because our county is broke. Member Brockman made the statement, the fee is never enough and the costs for doing business have gone up. The Commission and the Planner worked through a rough draft for fee revisions in open conversation. Member Collins asked the Planner about information from other counties and the Planner replied she does know and will look at those. Chairman Shepard entertained the public comments, even though he was not required to do so. After much discussion, the Commissioners agreed it was to raise our fees, look at other counties for comparison purposes and to come to the next regularly scheduled meeting in November with a proposed Resolution.

Chairman Shepard brought the next item on the agenda, Platte County Land Use Rules and Regulations to incorporate Data Centers. Planner Bookout explained she has not had the time to work up any proposed changes, there have been no public comments submitted to her office from the last meeting when it was brought up. Chairman Shepard's thought is to keep things consistent and with the Rezone that was just done with Site Layer 4, that the Site Layer 4 property is probably the most restricted property in Platte County. He proposed data centers only permitted on Industrial zoned land and data centers would be required to obtain a Special Use Permit. Member Lockhart agreed with the Chairman. Chairman Shepard called on Jill Kaufman, even though there are no public comments on this section. Jill wanted to put in a formal complaint about removing Robert's Rules in by-laws. Chairman Shepard moved back on task and stated he would just like us to be consistent. Member Brockman agreed it should be on Industrial zoned land and a Special Use Permit would be required for data centers. Chairman Shepard allowed Josh Martines, Kathryn Stevens, and additional people in the audience, their comments and input to the conversation on incorporating data centers into our current rules and regulations comment, even though there are no public comments on this section. Discussion was had among the Commissioners and the Planner to come up with a base for proposed changes for the September 16th Special Meeting to incorporate Data Centers into our exiting Land Use Rules and Regulations.

Chairman Shepard asked if there was any further Commission Discussion. Member Collins stated "it is good to have Bob back." We were all in agreeance.

Chairman Shepard asked if there was any Old Business. None was had.
Planner Bookout interjected that there is a meeting on September 16, 2026 at the Agriplex for the incorporating data centers into the existing Platte County Land Use Rules and Regulations.

Adjournment

With no further business, Chairman Shepard adjourned the meeting at approximately 8:45PM. This proceeding was recorded by Laura Bookout pursuant to Wyoming Statue §18-5-202(a).

LAURA BOOKOUT, COUNTY PLANNER

APPROVED:

MARTY SHEPARD, CHAIRMAN OF THE BOARD