

## MINUTES OF THE BOARD OF SHERIDAN COUNTY COMMISSIONERS

The Board met at 9:00 a.m., October 21, 2008, in regular session at the Sheridan County Courthouse, Sheridan, Wyoming. Members present were Commissioners Robert L. Rolston, Steve Maier and Terry Cram. Chairman Rolston called the meeting to order and led everyone in the Pledge of Allegiance.

### AGENDA

The published agenda was amended to also consider a contract between Dr. Michael Strahan and the Department of Health.

### ANNOUNCEMENTS

Chairman Rolston announced that a meeting to gather and offer information on whether Red Grade Road should be entered into the State Trails Program will be held at 5:30 p.m. on November 6, 2008 at the Senior Center. Attendees are asked to enter through the north entrance.

Chairman Rolston also announced that the County had received the August report from Rocky Mountain Ambulance Service.

### PUBLIC COMMENTS

There were no public comments.

### CONSENT AGENDA

The Board approved the Consent Agenda as read, authorizing the Chairman to sign documents as required. (a) Minutes of regular session on October 7, 2008; (b) Minutes of a special session on October 9, 2008; (c) Rescind Resolution 08-08-032 which set the partial fire restrictions in Sheridan County; (d) Release of Mortgage to KLD Quail Ridge LLC for lots 2, 5, 7, 8, 10, 11, 12, 13, 15, 17, and 18 of Block 2, Cloud Peak Ranch 6<sup>th</sup> Filing PUD and Lots 2, 3, 4, 5 and 6 of Block 3; and County acceptance of \$10,800 in payment for each lot, totaling \$152,459; (e) Partial Release of Mortgage to Woodland Park LLC for Lot 23, Block 5, Woodland Park Subdivision, Phase One; (f) Sheridan County License Agreement 0828LA with Powder River Energy Corp. to cross Paradise Park road to install a 4" plastic gas line; (g) Sheridan County License Agreement 0829LA with Powder River Energy Corp. to cross Upper Cat Road to install an overhead 3-phase power line; (h) Sheridan County License Agreement 0830LA with Powder River Energy Corp. to cross Upper Cat Road to install an overhead 3-phase power line; (i) Sheridan County License Agreement 0831LA with Powder River Energy Corp. to cross Upper Cat Road to install an overhead 3-phase power line.

### BLM COOPERATING AGENCY STATUS

BLM Field Manager-Buffalo, Chris Hanson, reported on revising the Resource Management Plan (RMP). He noted that Sheridan County has stated it wishes to join as a cooperating agency which will allow input into the RMP, which should set the tone for the management of public lands for the next 25 years. The Buffalo Office administers approximately 800,000 acres of public land surface and 4.7 million acres of Federal mineral estate land. Mr. Hanson said this would be a three to four year process.

Key issues to be addressed in the revision would be energy and mineral resources, vegetation and habitat management such as for sage grouse, land ownership, transportation, and general recreation access, and areas of special designations such as the current study on the

Fortification Creek elk habitat. Training sessions and workshops have been scheduled to begin the first week of December.

#### COUNTY AIRPORT

Airport Manager John Stopka reported that Pearl Property Management has sold its hangar to Seven Pillars and its lease should now reflect the removal of these lots. The Board approved a Lease Amendment to the Lease Agreement of April 3, 2007 with Pearl Property Management, which replaces Section I, Leased Premises, and Section H, Use of Premises; all other terms shall remain in full force and effect.

The Board approved a Lease Agreement with Seven Pillars Resources, LLC for a 30-year term in the Airport Business Park, assuming the Pearl lots, described as the East 1/2 of Lot LA-4 and Lot LA-5 of Block 1.

The Board approved an Airport Use Agreement with Seven Pillars Resources, LLC for a ten year term, granting the non-exclusive privilege to engage as a Specialized Aviation Service Operator at the Airport. This allows them to engage in aeronautical activities, such as storage of aircraft.

#### V-08-002, BIG HORN SCHOOLS PARKING VARIANCE

Chairman Rolston opened the public hearing at 9:29 a.m. to receive comment on this request for a 40% reduction from the required 320 off-street parking spaces. School Superintendent Sue Belish commented that the Big Horn schools have 125 spaces with 193 planned. She said the need for issuing student parking permits has been discussed and also possibly limiting the right to drive to school to only juniors and seniors. Land Development Coordinator Robin DeBolt said staff in its review looked at four formulas to calculate required parking spaces. Ms. DeBolt said the schools have 45 staff and 75 students of driving age which could fluctuate from year to year. Two residents stated they did not think students should have to pay for parking and thought parking on Highway 335 was not safe for students. One resident encouraged the Board to say no so that the school would have to find more land. The hearing was closed at 9:45 a.m.

Chairman Rolston said the County must deal with conditions presented today, and that he had talked with the chairman of the School Facilities Commission who said planning for this facility has been exhausted. Commissioner Maier said the issue is a school board question and that extensive planning has been done and County staff has stated the number is adequate. The Commissioners were concerned that, if denied, the School Facilities Commission would put this project at the end of the line of requests and, perhaps, there still would be no change when next considered. Commissioner Cram asked that the County Public Works Department work with the School Commission for improvements to High Street to improve drainage and a turn-around.

The Board approved the Big Horn Schools Parking Variance, granting a 40% variance from the required 320 off-street parking spaces, finding that the variance: (a) Would not harm the public safety and welfare; (b) Would not alter the essential character of the neighborhood in which the proposal is located; (c) Would not substantially or permanently impair the reasonable use and enjoyment or development of neighboring property; and (d) Would be the minimum variance that would afford relief but would be the least modification of the applicable provisions of the zoning regulations.

## SUBDIVISION RESOLUTION AMENDMENT

County Planner Mark Reid advised the proposed amendment would address areas of review by the Department of Environmental Quality as stipulated in Section 2.7, Final Plat, of the Subdivision rules, and would change some language to be consistent with Wyoming Statutes. He outlined generally what these would be. [The draft amendment is available on County website at [www.sheridancounty.com](http://www.sheridancounty.com) and by paper copy in Public Works and Commissioners offices.] The Commissioners noted that these changes would help to manage growth and be environmentally friendly when considering water and land use. Chairman Rolston said a public hearing is scheduled for December 19, 2008 to consider its adoption.

The Board approved Resolution 08-10-041, authorizing the Chairman to give notice of the County's intent to amend the Sheridan County Subdivision Resolution relative to the Department of Environmental Quality review and to change the name of the document to Rules and Regulations Governing Division of Land in Sheridan County, Wyoming.

## ROAD MATTERS

County Engineer Ken Muller said two additional miles of work was done on Murphy Gulch Road, requiring additional gravel and traffic control. The Board approved change order 1 to the McMurry Ready Mix Company contract, in the increased amount of \$99,203.22.

Mr. Muller said estimated quantified were changed to reflect actual quantities for work done on Lower Prairie Dog Road. The Board approved change order 1 to the DRM, Inc. contract in the increased amount of \$21,973.11.

## COURTHOUSE FIRE ALARM SYSTEM

Administrative Director Renee Obermueller said the County received only one bid to upgrade the fire alarm system for the Courthouse, which was within the budgeted amount. The contractor will be required to coordinate with the contractor performing the second floor remodel to not duplicate efforts. The Board awarded the bid to SimplexGrinnell, of Helena MT, in the amount of \$32,446.39, and authorized the Chairman to sign the contract agreement upon attorney review and approval.

## HOMELAND SECURITY GRANTS

Emergency Management Coordinator Dave Coleman reported that the County purchased pamphlets last year with Citizen Corps funds to educate the public on preparing for a disaster. The Board accepted grant award 08-GPD-SHE-CC-HCC8 for \$4,528.36 to fund the Citizens Corp Program in Sheridan County for the period September 1, 2008 through May 31, 2011, and authorized the Chairman to sign the grant contract.

Mr. Coleman said the County receives an annual grant for interoperable radio communications and other equipment for emergency preparedness. He said there will be a meeting set to decide on how to spend this grant award. The Board accepted grant award 08-GPD-SHE-SC-HSG8 to fund Sheridan County Homeland Security Preparedness for the period September 1, 2008 through May 31, 2011.

## JUVENILE JUSTICE

The Board approved the Community Service Program and Lease Agreement with the Sheridan Juvenile Justice Commission Joint Powers Board, which states the lease terms for

County property at 41 West Whitney Street, used for office space, and for the Community Service Program operation.

#### CLAIM

On advice of counsel and the County's liability carrier, the Board denied the claim presented by Jack B. Hansen.

#### HISTORIC PRESERVATION GRANT

The Board accepted a grant offer from the State Historic Preservation Office, and ratified the signatures approving same, in an amount not to exceed \$1,582. The grant allows the Sheridan County Historic Preservation Commission chairman Billie Little to attend the 2008 National Trust Conference.

#### PUBLIC HEALTH

The Board approved a contract between Dr. Michael Strahan and the Department of Health which allows Dr. Strahan to act as the Public Health Emergency Preparedness Representative for Sheridan County. The contract is in an amount not to exceed \$12,000, for the term August 31, 2008 through August 30, 2009.

#### ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 10:25 a.m.

BOARD OF COUNTY COMMISSIONERS  
Sheridan County, Wyoming

Attest:

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Robert L. Rolston, Chairman

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Audrey Koltiska, County Clerk