

MINUTES OF THE BOARD OF SHERIDAN COUNTY COMMISSIONERS

The Board of County Commissioners of Sheridan County, Wyoming met at 9:00 a.m., November 6, 2007, at the Sheridan County Courthouse, Sheridan WY. Members present were Chairman Terry Cram, Commissioner Steve Maier and Commissioner Robert L. Rolston. Chairman Cram called the meeting to order and led everyone in the Pledge of Allegiance.

AGENDA

The Board approved the Agenda as published.

ANNOUNCEMENTS

On behalf of the Board, Chairman Cram recognized three County employees for years of service: Mary Beebe, 15 years with Community Health, Kim Hein, ten years with County Clerk's Office, and Wendy Mort, 20 years with Community Health.

PUBLIC COMMENT

Michael Sims and Dean Miller, present on behalf of Alltel Communications, asked the Board to consider leasing roof top space of the County Courthouse, locating a communications antenna and equipment there to increase coverage to the downtown area. The Commissioners offered to discuss the matter at a work session so that more detailed information could be provided.

CONSENT AGENDA

The Board approved the Consent Agenda as read and authorized the Chairman to sign required documents: (a) Minutes of a regular meeting on October 16, 2007; (b) Master License Agreement with Pennaco Energy, Inc. setting out obligations to cross county roads; (c) License Agreement 0713LA with Qwest to cross East Ridge Road to install a 50-pair, 24 gauge copper cable; (d) affirm Chairman's action to change date of Permit for Supervised Public Display of Fireworks to Bruce Burns, from October 26, 2007 to November 3, 2007, at Big Horn High School; (e) County Airport vouchers for October; (f) General County vouchers for October. (insert vouchers)

HOMELAND SECURITY GRANTS

The Board accepted, approved and authorized the Chairman to execute four Homeland Security grant program allocation contracts for terms ending March 31, 2010: 7-ODP-SHE-SC-HSG7, in the amount of \$115,945.38, for general equipment purchases; 07-ODP-SHE-CC-HCC7, in the amount of \$4,512.04, for the Citizen Corps.; 07-ODP-SHE-LC-HLE7, in the amount of \$8,335.35, for the Coroner's Office; and 07-ODP-SHE-LS-HLE7, in the amount of \$25,444.17, for the Sheriff's Office to establish an Emergency Operations Center in the basement of the Law Enforcement Center.

J. C. RANCH 2 QUARRY, Q-07-003

Chairman Cram opened the public hearing at 9:20 a.m. to reconsider the merits of this application for quarry operations which would produce gravel for County roads. Public Works Director Bruce Yates gave a Powerpoint presentation indicating the location of the pit which has been downsized and moved, the haul roads and the residences within one-half mile of the quarry boundary. He outlined proposed mitigation measures that the County would do to address the concerns brought up by adjoining landowners. Mr. Yates said the quarry area has been substantially reduced in size and that test wells have been drilled which indicate approximately

100,000 tons of gravel at the site. Applicant Mike Connell commented to clarify the requirements of the Zoning Resolution concerning quarries. Adjacent landowners Don Cresillious, Ken Harmon, Zane Durham, Helen Harmon, Pete Widener, Rudy Ondics, Betty Mitchell, Jane Clark, Jim Ankeny, Bob Westbrook, Sally Hutsinger all spoke to their concerns regarding the operation. Jay Gilbertz, Yonkee & Toner, representing the Durhams, spoke in regard to the quarry reconsideration procedure and rights to a contested case hearing. Chairman Cram closed the hearing at 10:35 a.m.

After questioning the proposed conditions to ameliorate concerns of the application, and determining that the mitigation measures offered were appropriate, the Board approved the J. C. Ranch 2 Quarry with the following conditions:

1. Report of the Public Works Director, dated November 1, 2007, is accepted as an amendment to the original application;
2. Sheridan County shall provide dust control on haul roads, stockpiles and work areas in accordance with requirements of the County Engineer and Section 23 of the Zoning Resolution;
3. The permit shall be effective for 10 years, beginning from the day of approval by the Board;
4. Sheridan County shall prepare and file for permits required by the State throughout the life of the project, as well as changes that may take place to the operation of the quarry due to changes in regulations or permissions from the State of Wyoming;
5. Sheridan County shall be responsible for appropriate signage and construction necessary to maintain road integrity and safety on Beaver Creek Road, CR 87;
6. Haul trucks and other equipment used in conjunction with this quarry shall not exceed 35 mph on Beaver Creek Road, CR 87;
7. Normal hauling operations shall be restricted to the hours from 7:00 a.m. to 5:00 p.m., Monday through Friday, except during the Big Horn school year when it will be 8:00 a.m. to 5:00 p.m., Monday through Friday, and when necessary, 7:00 a.m. to 1:00 p.m. on Saturday. The County Engineer may grant emergency hauling hours.
8. Crushing operations shall be restricted to an annual three month timeframe with crushing operations limited to no more than 45 days during those three months;
9. Crushing operations shall occur only during daylight, with maintenance allowed during night time provided no overhead lighting is used;
10. The crusher shall be located in the bottom of the mine pit to mitigate noise;
11. Prior to hauling, a road capacity analysis report shall be completed on Beaver Creek Road by the County Engineer.

It was also agreed that the County would work with property owners to reconstruct two curves on Badger Creek Road to improve the sight distance, approximately one mile south of the quarry.

STORY FIRE HALL

Chairman Cram noted that the Story Fire District owns the old fire hall building which is on County-owned land. He said the County was looking at purchasing the building to store road equipment. Mr. Madison, Chairman of the Story Fire District, asked the Board to

consider and offer a fair price for the old building. The Board inquired as to possible other uses and to the need to determine comparative values to establish a price.

Mr. Madison advised that the new fire hall building should be completed in December, however, they are at a standstill at the moment. He said the State Fire Marshal has stated the building needs a sprinkler system, which would add approximately \$50,000 to the cost, and they could not use the well for this purpose. He said he will attend a meeting in December with them to appeal this requirement.

The Board set this item on the Table to obtain additional information before making a decision.

COUNTY AIRPORT

The Board authorized the Chairman to execute an Airport Use Agreement with Richland Aviation for them to operate a transportation system by aircraft for the carriage of air cargo, for a term of one year, in an amount calculated by landing fees, and subject to all other terms of the agreement.

COUNTY ROADS

Upon the recommendation of the County Engineer, the Board adjusted the posted speed limits on Badger Creek Road, Lower Prairie Dog Road, Beatty Gulch Road, Beatty Spur Road and Coutant Creek Road. These roads will now be posted at 35 mph. Mr. Yates said current speeds, coupled with heavy truck usage, damage the roads. He said the lower speed limit will extend the life of the gravel and magnesium chloride applications. Mr. Yates advised that the Sheriff has requested these roads be the same speed limit which he will enforce once new signs are installed.

SAWS

The Board authorized the Chairman to sign a Twenty-Inch Waterline Agreement between the City of Sheridan and the Sheridan Area Water Supply Joint Powers Board. The Deputy County Attorney's review noted the County should sign the document due to its interest as stated in the May 15, 1990 SAWS operating agreement.

DETENTION CENTER KITCHEN

The Board authorized the Chairman to execute Change Order 1 to the Fletcher Construction contract, in the amount of \$591, to include a one-half inch cold water line to the steam table.

WEST BRUNDAGE LANE/AIRPORT ROAD PROJECT

Grants Administrator Mike Mackey reported on the project's recommended design enhancements. The Board approved the Chairman signing Amendment 2 to the Vista West Engineering agreement, in the amount of \$10,730.25, for the addition of street trees, a raised planter with an irrigation system and a County Airport sign, and standard roadway lighting.

WYDOT PARCEL

Upon an offer from WYDOT as required by Wyoming Statute, the Board authorized the Chairman to execute documents Agreement of Acceptance and a County Acceptance for Disposal of Surplus Lands to request WYDOT to relinquish an abandoned right-of-way. The small parcel consists of approximately 17,459 square feet, situated at the curve coming into Big

Horn and described on Exhibit A to the Agreement. Chairman Cram said the Board has no immediate plans for the parcel once it is relinquished to Sheridan County.

COUNTY PERSONNEL POLICY

Chairman Cram advised that a change was needed to the Temporary Military Duty section of the policy, in addition to that approved on October 16, 2007. The Board approved adding the following words to the last sentence in paragraph 2 so that it reads “Such Military Leave shall not exceed fifteen (15) calendar days in any one calendar year, and shall be in addition to any other leave to which the employee may be entitled.”

To remove the need for County Commissioners to approve donated sick leave, the Board approved revised language so that paragraph 8 under Sick Leave reads “Within a department, employees may “donate” sick leave to other department employees with the written approval of the department head. Inter-departmental donations of sick leave may be made between employees with the written approval of both department heads. An employee wishing to donate sick leave shall prepare a memorandum for their department head indicating the number of hours of sick leave the employee wishes to donate and the name of the recipient. The memorandum, signed by the donating employee, and approved by the department head(s), shall be forwarded to the Administrative Director to ensure that each employee’s sick leave record is accurately adjusted.”

To change the usage requirement of vacation leave from a calendar year to a fiscal year, the Board approved revised language so that paragraph 5 reads “Employees may not carry over more than One Hundred Ninety Two (192) hours of vacation leave at the end of any fiscal year.”

To set out the appropriate protocol for use of County computers, the Board considered a draft ITech Access and Use Statement to be included in the Personnel Policy. The Board set this item on the Table so that the County Attorney could review appropriate wording and employee comments could be considered.

ADJOURNMENT

There being no further business to come before the Board, the meeting adjourned at 12:18 p.m.

BOARD OF COUNTY COMMISSIONERS
Sheridan County, Wyoming

Attest:

Terry Cram, Chairman

Audrey Koltiska, County Clerk