

MINUTES OF THE BOARD OF SHERIDAN COUNTY COMMISSIONERS

The Board of County Commissioners of Sheridan County, Wyoming met at 9:00 a.m., October 16, 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, amended to add an item to the Consent Agenda to consider adjustment of the board term dates for three appointees to the Predator Management District of Sheridan County. The Board also changed the title of Item 12 so that it reads "Consider Temporary Construction Easements and Borrow Source Easement; Half Way Lane", deleting the words, "consideration of Amendment 1..."

ANNOUNCEMENTS

Chairman Cram advised that the Board had received the August contract report from Rocky Mountain Ambulance.

On behalf of the Board, Chairman Cram recognized two County employees for years of service: Ronnie Harvey, 10 years with the Road and Bridge Department; and Cynthia Ketron, 5 years with Community Health.

PUBLIC COMMENT

There were no public comments made for matters not on the agenda or for items on the Consent Agenda.

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 2, 2007; (b) Rescind Resolution 07-07-013, Partial Fire Restrictions in Sheridan County, effective October 16, 2007; (c) Sheridan County Master License Agreement with Advanced Communications Technology, setting obligations of performance when crossing county roads; (d) License Agreement 0706LA to Lynn Weber to cross Park Street for water and sewer installation (fee waived); (e) License Agreement 0707LA to Range Telephone Cooperative to cross Cat Creek Road for buried service line (fee waived); (f) License Agreement 0708LA to Range Telephone Cooperative to cross Beatty Gulch Road for buried service line (fee waived); (g) License Agreement 0709LA to ACT to cross Mydland Road and W. 17th for buried duct and fiber-optic cable; (h) License Agreement 0710LA to Powder River Energy Corp. to cross Beatty Gulch Road; install 3-phase distribution power line; (i) License Agreement 0711LA to Bitter Creek Pipelines, LLC to cross Badger Creek Road; install bored pipeline; (j) License Agreement 0712LA to Bitter Creek Pipelines, LLC to cross Lower Prairie Dog Road to install a bored pipeline; (k) Adjustment of term expiration dates for appointees to the Predator Management District of Sheridan County: Robert Krumm to 1-1-2011, Robert Thuesen to 1-1-2009, and Robert Hamilton to 1-1-2010.

LANDFILL WEEKENDS

The Board removed from the Table for further consideration the question of whether the county would allocate funding for county residents to participate in three free municipal landfill weekends. Chairman Cram said that a letter had been sent to the City offering \$5,000 to fund

County residential participation. The Board officially approved the offer, which, if accepted by the City, will allow County residents to participate in the free landfill weekends.

STORY PARK

Chairman Cram advised that the County park in Story is leased to the Recreation District for \$1/year. There is also an agreement between the District and the Story Park Board for the maintenance and operation of the park. Upon a request by the Story Park Board, as the board has no funding of its own, the Board approved an allocation to them of \$3,805 for the purchase of sprinkler system components.

2010 CENSUS

Chairman Cram advised that certain County staff is participating in the Local Update of Census Addresses (LUCA) program. He said that, to prepare for the next census, staff is being trained in this program to ensure addresses of county residents are accurate and also that the information is protected. The Board approved registration of Sheridan County to participate in the LUCA program and designated Jim Billings, ITech Manager, as the County's representative. The motion included setting a participation level, which was amended to allow County Planner Mark Reid to select the level after attending a LUCA workshop.

RP-07-001; CHENEY SUBDIVISION

Mr. Reid advised that the Cheney Subdivision would replat three non-conforming lots into two nonconforming lots, reducing the density for this property. Mr. Reid said this type of replat does not go before the Planning and Zoning Commission. Ms. Cheney commented that the replat vacates a small portion of a subdivision road which serves as her residence's driveway. There was no other public comment.

The Board approved the Cheney Subdivision, creating two non-conforming lots in the Agricultural zoning district with the conditions that: (1) There shall be no further division of the two-lot subdivision unless the property is rezoned from Agricultural; and (2) Building permits and inspections shall be required. The Board approved three variances which allow that: (a) The two lots shall be accessed with a 50-foot right-of-way off Bulldogger Drive; (b) The cul-de-sac radius may be 50-feet instead of the required 60-feet; and (c) The length of Bulldogger Road may exceed 1200 feet.

J. C. RANCH, INC. QUARRY

The Board acknowledged a request for a contested case hearing regarding the J.C. Ranch #2 Quarry permit application, denied on September 4, 2007. On advice of counsel, Chairman Cram said that the applicant had been notified that he was not eligible for a contested case hearing and the Board voted to deny the request. Chairman Cram noted the applicant wished to address concerns raised in the initial hearing. He said that counsel had advised the Board the preferable way to readdress the issue was to ask for unanimous consent from the other members of the Board to reconsider the item on its merits. There being no objection to the question, the Chair received unanimous consent and directed the deputy county clerk to set the matter for a rehearing after giving appropriate notice.

LOWER POWDER RIVER ROAD

Public Works Director Bruce Yates said the realignment work of Lower Powder River Road has been finished in time to allow reseeding of the disturbed areas yet this year. The Board

approved Change Order 4 to the Three Way, Inc. contract, at a net increase of \$2,400, authorizing the reseeded, which affirmed the Chairman's execution of the change order on October 2, 2007 to expedite the work.

HALF WAY LANE

The Board approved on October 2, 2007 an Agreement for Temporary Construction Easements and Borrow Source Easement with the William P. White Trust relative to the reconstruction of the access road to the Half Way Lane bridge to straighten the approach, placing new wire fencing/wood posts and reseeded. As Mr. White had not yet signed the document, Mr. Yates asked that a new agreement be approved rather than approve an amendment to make two necessary changes. There being no objection by counsel, the Board rescinded the original agreement and approved the revised agreement.

DAYTON VOLUNTEER RESCUE UNIT

Since the Town of Dayton had received notice that the City of Sheridan would no longer subsidize the Dayton ambulance, the Board approved an agreement with the Town of Dayton and the Dayton Volunteer Rescue Unit for a one-year term, in the amount of \$18,000 paid quarterly, for emergency services to the adjoining county area, according to the provisions in its bylaws.

SCHOOL DISTRICT #1

The Board approved Resolution 07-10-025, supporting the School District #1 bond issue to retain the 2.9 mill levy for needed repair to school facilities.

RESOLUTION 07-10-025
SHERIDAN SCHOOL DISTRICT #1

WHEREAS, new schools constructed in Sheridan School District #1 should be adequate to provide the best education to all K-12 students; and
WHEREAS, the State of Wyoming will supply a major portion of funds to construct new buildings and enhancements for the Tongue River High School, Tongue River Elementary School, Big Horn High School/Middle School, and the Big Horn Elementary School; and
WHEREAS, the growing student population and need for facilities adequate to train students toward excellence in the 21st Century calls for local investment; and
WHEREAS, the continuance of the existing mill levy in School District #1 covering the communities of Big Horn, Dayton, Ranchester, Parkman and the surrounding areas will provide for schools that will allow our K-12 students to excel.
NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Sheridan County, Wyoming fully and whole heartedly supports the continuation of the existing 2.9 mill levy which will allow up to \$2,000,000 for facilities to be built for our children's educational needs.

BE IT FURTHER RESOLVED that the Board of Sheridan County Commissioners urge voters to become fully informed on these school facility issues and vote on November 6, 2007.

Adopted this sixteenth day of October, 2007.

BOARD OF COUNTY COMMISSIONERS

Sheridan County, Wyoming

/s/Terry Cram, Chairman

STATE OF WYOMING)

)

COUNTY OF SHERIDAN)

Attest:

/s/Audrey Koltiska, County Clerk

On this sixteenth day of October, 2007, before me personally appeared Terry Cram, being first duly sworn, did say that he is the Chairman of the Board of County Commissioners, for Sheridan County, Wyoming and that this instrument was signed and sealed on behalf of the said County by authority of said Board and he acknowledged said instrument to be the free act and deed of said Board.

WITNESS my hand and official seal.

/s/Carla I. Raymond, Notary Public

My Commission expires:

PERSONNEL POLICY

Being advised by counsel that the Legislature had amended W.S. 19-11-101 et seq., the Board approved language changes to paragraphs 2 and 3 of the Temporary Military Duty section of the Personnel Policy for Sheridan County Employees. The amended section shall be distributed to all employees.

EXECUTIVE SESSION

The Board recessed to Executive Session at 10:27 a.m. to confer with the County Attorney on matters pertaining to personnel and real estate. Upon reconvening at 10:40 a.m., the Board voted in the positive to allow the Elections Supervisor to carry over to 2008 more than 192 hours of accrued vacation, due to impending election workloads and subsequent inability to use vacation leave.

ADJOURNMENT

There being no further business to come before the Board, the meeting adjourned at 11:42 a.m.

BOARD OF COUNTY COMMISSIONERS
Sheridan County Commissioners

ATTEST:

Audrey Koltiska, County Clerk

Terry Cram, Chairman