

MINUTES OF THE BOARD OF SHERIDAN COUNTY COMMISSIONERS

The Board met at 9:00 a.m., Tuesday, January 15, 2013, in regular session in the Commission Board Room, County Courthouse, Sheridan, Wyoming. Chairman Steve Maier called the meeting to order and led everyone in the Pledge of Allegiance. Members present were Commissioners Terry Cram, Steve Maier, Mike Nickel, Tom Ringley and Bob Rolston.

CONSENT AGENDA

Commissioner Rolston moved to approve the consent agenda as published and authorize the Chairman to sign documents as required. The motion was seconded by Commissioner Nickel and passed unanimously. Following are the consent items:

- a. Minutes from Special Session, January 2, 2013;
- b. Affirm Findings of Fact for CU-12-011: Taylor Cell Tower CUP;
- c. Affirm Findings of Fact for CU-12-012: Rantec Expansion CUP.

AGENDA

Commissioner Ringley moved to add item #12 Consider Resolution 13-01-004 Wyoming Access Program Grant Application, to the published agenda. Commissioner Nickel seconded the motion, all voted in favor and the motion carried. Commissioner Ringley moved to approve the agenda as amended, Commissioner Rolston seconded, all voted in favor and the motion carried.

ANNOUNCEMENTS

Chairman Maier announced a joint city and county public hearing on the proposed East 5th Street Corridor Plan on Thursday, February 7, 2013; a courthouse closure on Monday, January 21st for Equality Day; and a job opening for a Fairgrounds Director.

PUBLIC COMMENTS

Merlin Zowada addressed the board with a complaint concerning written findings of fact conclusions of law for their private road petition. Chairman Maier explained the Hearing Officer/County Attorney is currently prosecuting a large number of criminal cases, he added that the board would also like this issue resolved.

SASO AMENDMENT WITH ROCO, INC.

Following a staff report from John Stopka, Airport Manager, Commissioner Nickel moved to approve and authorize the Chairman to sign an Amendment to the Specialized Service Operator Use Agreement with RoCo, Inc., specifying rental rate adjustments and utilities, effective January 15, 2013. Commissioner Ringley seconded the motion and it carried with all voting in favor.

RESOLUTION 13-01-001 WYDOT GRANT APPLICATION, CR #74

Following a staff report from Ken Muller, County Engineer, Commissioner Rolston moved to approve and authorize the Chairman to sign resolution 13-01-001, and associated documents for grant application to Wyoming Department of Transportation's High Risk Rural Program for safety upgrades to Soldier Creek Road, County Road #74. Total project cost is estimated at \$184,000 with a 9.51% match. The motion was seconded by Commissioner Nickel and passed unanimously.

RESOLUTION 13-01-001

A RESOLUTION AUTHORIZING SUBMISSION OF A HIGH RISK RURAL ROAD PROGRAM GRANT APPLICATION TO THE WYOMING DEPARTMENT OF TRANSPORTATION FOR SAFETY UPGRADES TO SOLDIER CREEK ROAD (CR-74).

WITNESSETH

WHEREAS, Sheridan County desires to participate in the Wyoming Department of Transportation's High Risk Rural Road Program (HRRRP); and
WHEREAS, the Sheridan County Commission recognizes the need for safety upgrades on Soldier Creek Road (CR 74); and
WHEREAS, Sheridan County has met the criteria set forth by the Wyoming Department of Transportation for this project; and
WHEREAS, the estimated cost of construction for safety upgrades to Soldier Creek Road is \$140,000.00; and
WHEREAS, the Sheridan County Commission will set aside \$40,000 in Capital Facilities Tax funds to meet WYDOT's 9.51% minimum local match requirement.
NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF SHERIDAN COUNTY, that the Commission will submit a grant application to WYDOT requesting \$100,000.00 in HRRRP grant funds, and that Ken Muller, P.E., County Engineer, is hereby authorized to act on the County's behalf in all matters relating to this grant application.

DATED this fifteenth day of January, 2013.
BOARD OF COUNTY COMMISSIONERS
Sheridan County, Wyoming
/s/Steve Maier, Chairman

Attest:
/s/Eda Schunk Thompson, County Clerk

RESOLUTION 13-01-002 SPEED LIMIT, CR #72

Mr. Muller gave his staff report and Commissioner Ringley moved to approve and authorize the Chairman to sign resolution 13-01-002 Declaration of Speed Limit for Paradise Park Road, County Road #72, changing the speed limit to 45, following petition from area residents and a traffic engineering investigation. Commissioner Nickel seconded, all voted in favor and the motion carried.

RESOLUTION 13-01-002
DECLARATION OF SPEED LIMIT
County Road #72 (a.k.a. Paradise Park Road)

WHEREAS, W.S. 24-1-104 provides that county roads are under the supervision, management, and control of the Board of County Commissioners of the county wherein such roads are located;

WHEREAS, W.S. 31-5-303 authorizes the Board of County Commissioners, in compliance with rules promulgated by the department, to determine the proper maximum speed for all streets and highways within their corporate jurisdiction;

WHEREAS, pursuant to Chapter 30, Procedures for Locally Establishing Speed Limits (“Chapter 30 Procedures”), adopted by the Wyoming Department of Transportation, the County Engineer examined the reasonableness and safety of the speed limits on the following road(s): County Road #72 (a.k.a. Paradise Park Road)

WHEREAS, pursuant to Chapter 30 Procedures, a Declaration of Speed Limit on Paved Roads #13-01-002 was presented to the Board of County Commissioners where in the County Engineer recommended changing the speed limit to 45 miles per hour on the above-listed road(s); and

WHEREAS, the Board of County Commissioners hereby agree with the recommendations contained Declaration of Speed Limit on Paved Roads #13-01-002.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Sheridan County, Wyoming hereby change the speed limit to 45 miles per hour on the above-listed road(s); and

BE IT FURTHER RESOLVED that regulatory signs shall be installed at locations determined by the County Engineer.

APPROVED AND ADOPTED this _____ day of _____, 20_____.

BOARD OF COUNTY COMMISSIONERS
Sheridan County, Wyoming
/s/Steve Maier, Chairman

Attest:
/s/Eda Schunk Thompson, County Clerk

PROJECT AWARD, EAST RIDGE RD CR #139

Mr. Muller explained the proposed project and detailed the bids received for the East Ridge Road Project. Commissioner Cram moved to award the bid and approve a contract for the East Ridge Road, County Road #139 Project, to Dan Hart Patrol Service, Inc. in the amount of \$532,244.48 and authorize the Chairman to sign project documents, contingent on concurrence of project award by the Wyoming Transportation Commission. The motion passed following a second from Commissioner Nickel and a unanimous vote.

RELEASE FOR WOODLAND PARK SUBDIVISION

Following a staff report from Renee’ Obermueller, Administrative Director, Commissioner Rolston moved to approve and authorize the Chairman to sign a Release of Mortgage from Sheridan County to Woodland Park LLC for Woodland Park Subdivision – Phase One. Commissioner Ringley seconded the motion, the board voted in favor and the motion carried.

RESOLUTION 13-01-003 MEETING SCHEDULE

Chairman Maier explained the proposed resolution is to formalize what is already being done, Commissioner Ringley moved to approve and authorize the Chairman to sign Resolution 13-01-003 specifying an additional meeting time for the Board as the third Tuesday of each month and designating Monday staff meetings as a regular Board of County Commission meeting. Commissioner Cram seconded and the motion carried with all voting in favor.

RESOLUTION 13-01-003

**BOARD OF COUNTY COMMISSIONERS, SHERIDAN COUNTY, WYOMING
REGULAR MEETING TIMES**

WHEREAS, pursuant to W.S. 16-4-401 et seq., all meetings of governing bodies are to be public meetings, open to the public, and no action shall be taken except during a public meeting following notice of the meeting;
WHEREAS, pursuant to W.S. 16-4-404, the Board must provide notice of a meeting to any person requesting such;
WHEREAS, pursuant to W.S. 18-3-516, the Board shall, if practicable, publish notice of the time of all regular and special meetings;
WHEREAS, pursuant to W.S. 16-4-403, the Board is required to record the minutes of its meetings;
WHEREAS, pursuant to W.S. 18-3-516, the Board is required to publish a copy of its proceedings in a newspaper published in Sheridan County;
WHEREAS, pursuant to W.S. 18-3-502, the Board of County Commissioners is required to meet on the first Tuesday of each month and at other such times as designated by resolution of the Board;
WHEREAS, the Board desires to establish the third Tuesday of each month as a regular meeting; and
WHEREAS, the Board desires to establish each Monday as a Staff Meeting;
WHEREAS, the Board resolves establish the above-described meetings.
NOW, THEREFORE, BE IT RESOLVED that in addition to their regular meetings held on the first Tuesday of each month, the Board hereby designates the following regular meetings:
Board of County Commissioners Regular Meeting to be held on the third Tuesday of each month.
Board of County Commissioners Staff Meeting to be held each Monday.
BE IT FURTHER RESOLVED that the Board shall comply with publication and notice requirements as prescribed by Wyoming Statutes, rules and regulations.
BE IT FURTHER RESOLVED that the Board hereby rescinds all resolutions in conflict herewith.
BE IT FURTHER RESOLVED that this resolution shall remain in full force and effect until amended or rescinded.

ADOPTED this _____ day of _____, 2013.

BOARD OF COUNTY COMMISSIONERS

Sheridan County, Wyoming
/s/Chairman

Attest:
/s/Eda Schunk Thompson, County Clerk

RESOLUTION 13-01-004 WY ACCESS PROGRAM GRANT APPLICATION

Following a staff report from Mike Mackey, Grants Administrator, Commissioner Rolston moved to approve and authorize the Chairman to sign Resolution 13-01-004, and associated documents, for submission of a Wyoming Access Program Grant Application for upgrades to Red Grade Road, County Road #26. Commissioner Cram seconded the motion, the board voted in favor and the motion passed.

RESOLUTION 13-01-004

**A RESOLUTION AUTHORIZING SUBMISSION OF A WYOMING ACCESS PROGRAM
GRANT APPLICATION FOR UPGRADES TO COUNTY ROAD 26
(RED GRADE ROAD)**

WITNESSETH

WHEREAS, Sheridan County desires to participate in the federal Wyoming Access Program for assistance in funding this project (reconstruction and grading of 5.6 miles of CR 26, aka Red Grade Road; and
WHEREAS, the Sheridan County Commission recognizes the need for this project; and
WHEREAS, Sheridan County has met the criteria set forth by the Federal Government for participation in this program; and
WHEREAS, the estimated cost of the project is \$2,200,000.00; and
WHEREAS, the Sheridan County Commission has set aside \$209,220 in Capital Facilities Tax funds to meet the 9.51% local match requirement.
NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF SHERIDAN COUNTY, that the Commission will submit a grant application to the Wyoming Access Program

requesting \$1,990,780 in grant funds, and that Ken Muller, P.E., County Engineer, is hereby authorized to act on the County's behalf in all matters relating to this grant application.

DATED this 15th day of January, 2013.

BOARD OF COUNTY COMMISSIONERS

Sheridan County, Wyoming

/s/Steve Maier, Chairman

ADJOURNMENT

Attest:

/s/Eda Schunk Thompson, County Clerk

There being no further business to come before the Board, Chairman Maier adjourned the meeting at 9:27 a.m.

BOARD OF COUNTY COMMISSIONERS

Sheridan County, Wyoming

Attest:

Steve Maier, Chairman

Eda Schunk Thompson, County Clerk