

MINUTES OF THE BOARD OF SHERIDAN COUNTY COMMISSIONERS

The Board met in regular session at 9:00 a.m., June 19, 2012 in the Commission Boardroom, Sheridan County Courthouse, Sheridan, Wyoming. Chairman Mike Nickel 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 Ringley made a motion to approve the (10) consent agenda items as published and authorize the Chairman to sign documents as required. Commissioner Maier seconded the motion, all Commissioners voted in favor, and the motion passed. Following are the consent items:

- a. Minutes from Regular Session, June 5, 2012;
- b. License Agreement with Montana Dakota Utilities to cross County Road #12113, Maverick Road to install a new gas main, fee waived (individual residence);
- c. Affirm Letter of Support for the Airport's application to the Department of Transportation's Small Communities Air Service Development Grant Program;
- d. Affirm 2012-13 Renewal Scholarship to Brianna Smith;
- e. Affirm Agreement for Audit Services with Porter, Muirhead, Cornia & Howard for the Year Ending June 30, 2012;
- f. Release of Mortgage from Sheridan County to Michael G. and Patricia N. Fleming for Lot 6, Block 1, Woodland Park Subdivision – Phase One, acknowledging payment received of \$21,400.00;
- g. Partial Release of Mortgage from Sheridan County to Woodland Park LLC for Lot 6, Block 5, Woodland Park Subdivision – Phase One;
- h. Partial Release of Mortgage from Sheridan County to Woodland Park LLC for Lot 10, Block 2, Woodland Park Subdivision – Phase One, acknowledging payment received of \$21,400.00;
- i. Affirm Rental Agreement Amendment with Sheridan County and Lake Desmet Counties Coalition Joint Powers Board extending the term until June 30, 2013;
- j. Affirm Change Order #1 with Intermountain Construction and Materials for the 2012 Sheridan County Roads Project, decreasing the contract price \$176,979.00 from \$1,346,395.90 to \$1,169,416.90.

AGENDA

Commissioner Rolston moved to approve the agenda as published, Commissioner Maier seconded the motion, and it passed following a unanimous vote.

ANNOUNCEMENTS

Chairman Nickel thanked Phil Zerwas for his tenure on the Planning and Zoning Commission and public service to Sheridan County by presenting him with a Sheridan County belt buckle. Commissioner Rolston mentioned the devastation in Colorado and he urged caution in Sheridan County due to the extremely dry conditions and hot temperatures.

PUBLIC COMMENTS

Shirley Weidt addressed the board with questions regarding a judgment from District Court. Chairman Nickel referred Ms. Weidt to District Court and explained to her that the board has no authority in this matter.

TANF GRANT AWARD

Chairman Nickel opened a public hearing at 9:10 a.m. and received a staff report from Mike Mackey, Grants Administrator. He then called for comments from CASA and Easter Seals. Susie Cannon spoke on behalf of CASA explaining their grant application and answering questions from the board. Anita Badgett, Rod Lynam, and Charlie Briggs from Easter Seals explained the grant application they submitted and answered questions about their program. Chairman Nickel closed the public hearing at 9:16 a.m. and Commissioner Maier moved to award the Temporary Assistance for Needy Families Community Partnership (TANF/CPI) Grant to CASA in the amount of \$30,000 and Easter Seals in the amount of \$20,000. Commissioner Rolston seconded the motion and it passed following a unanimous vote.

"OLD" EVENS/EVANS ROAD VACCACTION

Chairman Nickel stated there were no written objections or claims for damages received regarding the proposed road vacation and he opened a public hearing at 9:21 a.m. Public Works Director, Rod Liesinger commented and answered questions. Virgil Kinnaird spoke on behalf of Folly Ranch, Inc. and C. Pardee Erdman, Jr. there were no comments from the public and Mr. Nickel closed the public hearing at 9:24 a.m. Commissioner Rolston moved to adopt and authorize the Chairman to sign Resolution # 12-06-018 Vacating

"Old" Evens/Evans Road. The motion was seconded by Commissioner Ringley and it passed with all voting in favor.

**RESOLUTION 12-06-018
VACATION OF "Old" Evens/Evans Road**

WHEREAS, pursuant to Wyoming Statute §§ 24-3-101 et seq., and W.S. § 34-12-107 the Board of County Commissioners for Sheridan County, Wyoming, where it finds the public interest so requires, may establish, alter, or vacate a county or subdivision road; and WHEREAS, the Board finds that "Old" Evens/Evans Road should be vacated; NOW, THEREFORE, THE BOARD RESOLVES THAT: The point of commencement, course, and termination point of "Old Evens/Evans Road is described as follows:

Commencing on the north line of Section 32, Township 54 North, Range 85 West then generally proceeds in the southwest direction through Section 32 and Section 31 of Township 54 North, Range 85 West and terminates on the south section line of Section 31 of Township 54 North, Range 85 West.

1. WHEREAS, "Old" Evens/Evans Road is recorded in the Office of County Clerk and Recorder on Page 15 of the Recorded Plat Book, Road Plat E-3; and was established as a county road on October 6, 1908, by Commission Record; and
 2. At a public meeting held on March 20, 2012 the Board announced receipt of a Petition requesting that "Old Evens/Evans Road be vacated and Ken Muller was appointed as Viewer. Petitioners deposited required bond of \$200.
 3. The Petition complied with statutory requirements.
 4. The Viewer's Report received by the Board on May 1, 2012 recommended that "Old" Evens/Evans Road be vacated.
 6. At a public meeting held on May 1, 2012 the Board adopted a Resolution 12-04-013 which set the date for the public hearing on claims and objections or claims for damages to the vacation of "Old" Evens/Evans Road.
 7. Notice of the date of the public hearing was provided to those persons identified in the Petition.
 8. Notice of the date of the public hearing was published in the Sheridan Press on May 9, 2012, May 16, 2012, and May 23, 2012.
 9. No written claims for damages were received.
 10. No written objections were received.
 11. On June 19, 2012 the Board held a public hearing regarding the vacation of "Old" Evens/Evans Road.
 12. The Board found that the vacation of "Old" Evens/Evans Road is for the public good and in the public's interest.
 13. For the above-described reasons the Board hereby finds that it is in the public interest that "Old" Evens/Evans Road be vacated.
 14. This Resolution shall be recorded in the Office of the County Clerk and Recorder.
 15. The Office of the County Clerk and Recorder for Sheridan County, Wyoming shall note on the plat, in the county road records, and the county land records, as appropriate, that "Old" Evens/Evans Road has been vacated.
 16. This Resolution supersedes all previous resolutions in conflict herewith.
 17. If a court finds any section or part of a section of this Resolution unconstitutional or otherwise invalid, the remaining sections shall remain in full effect.
 18. This Resolution shall be effective immediately upon its adoption in accordance with law.
- ADOPTED: June 19, 2012.

ATTEST:

/s/Mike Nickel, Chairman

/s/Eda Schunk Thompson, County Clerk

LAGE-12-003: CAVE CREEK – LARGE ACREAGE GRANT OF EXEMPTION

Following a staff report from Mark Reid, County Planner, Commissioner Cram moved to approve Item LAGE-12-003: Cave Creek – large Acreage Grant of exemption allowing the creation of (2) 35 acre parcels located on County Road 53, Big Goose Canyon Road. No more than (8) additional 35 acre tracts shall be established from the property included under Book 367, Page 30. Commissioner Maier seconded the motion and it passed with all voting in favor.

EQUESTRIAN CENTER FIREWORKS PERMIT

Chairman Nickel stated the proposed permit was approved by the Big Horn Fire District's Fire Chief and Commissioner Rolston moved to approve and authorize the Chairman to sign a Permit for Supervised Public Display of Fireworks from Bruce Burns for the Big Horn Equestrian Center, July 4, 2012. The Road and Bridge

Department will provide and place "no parking" signs on Bird Farm Road in the vicinity of the Equestrian Center. The motion passed following a second from Commissioner Cram and a unanimous vote.

SC12-02: MEREDITH VARIANCE REQUEST

Commissioner Ringley moved to appoint Lynn Smith, Deputy County Attorney, as the hearing officer for SC12-02 Meredith Variance Request and set the hearing date for August 8, 2012 at 9:00 a.m. All voted in favor and the motion passed following a second from Commissioner Rolston.

LIVERY STABLE LIQUOR LICENSE

Chairman Nickel opened a public hearing at 9:31 a.m. and Eda Schunk Thompson, County Clerk, presented her staff report. The applicant, George Fletcher, answered questions and there were no public comments. Mr. Nickel closed the hearing at 9:37 a.m. and a motion followed by Commissioner Ringley to approve the Retail Liquor License for Livery Stable L.L.C. doing business as The Livery Stable, 158 Johnson Street in Big Horn from June 20, 2012 to May 31, 2013. Commissioner Maier seconded and the motion passed with a unanimous vote.

LIBRARY BOARD APPOINTMENT

Commissioner Maier moved to appoint Jim Gillespie to the Sheridan County Public Library Board of Trustees to fill an expired 3 year term from July 1, 2012 – June 30, 2015. The motion passed with all voting in favor following a second from Commissioner Rolston.

RESOLUTION 12-06-017 RESTRIPE TAXIWAY A/PURCHASE PAINTING MACHINE

Following a staff report from John Stopka, Airport Manager, Commissioner Ringley moved to approve and authorize the Chairman to sign Resolution #12-06-017 and associated grant documents for application to the Wyoming Department of Transportation – Aeronautics Division for the Restripe Taxiway A and purchase Painting Machine. The grant application of \$44,500 will be matched with local funds of \$44,500 for a total project cost of \$89,000. Commissioner Maier seconded and with all voting in favor the motion passed.

RESOLUTION #12-06-017

WHEREAS: There is a need to restripe Taxiway A and the ramps and to acquire a new striping unit; and

WHEREAS: The Wyoming Department of Transportation, Aeronautics Division, provides financial assistance to local governmental agencies for airport improvements; and

WHEREAS: The matching funds being requested under this application will be used in conjunction with Sheridan County funds that are available.

NOW THEREFORE BE IT RESOLVED that the Sheridan Board of County Commissioners approve the filing of a grant application to the Wyoming Department of Transportation, Aeronautics Division, for financial aid and authorizes the Chairman to sign the application.

APPROVED AND ADOPTED THIS 19th day of June, 2012.

ATTEST:

/s/Mike Nickel, Chairman

/s/ Eda Schunk Thompson, County Clerk

NWMHC BOARD REAPPOINTMENT

Commissioner Rolston moved to reappoint Mark Demple to the Northern Wyoming Mental Health Center Board of Directors to serve an additional four year term from July 1, 2012 to June 30, 2016. Commissioner Maier seconded the motion and it passed unanimously.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 9:45 a.m.

BOARD OF COUNTY COMMISSIONERS
Sheridan County, Wyoming

Attest:


Mike Nickel, Chairman


Eda Schunk Thompson, County Clerk