

## MINUTES OF THE BOARD OF SHERIDAN COUNTY COMMISSIONERS

The Board met at 9:00 a.m., Tuesday, December 17, 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 Nickel moved to approve the consent agenda as published and authorize the Chairman to sign documents as required. The motion was seconded by Commissioner Cram and passed unanimously. Following are the consent items:

- a. Minutes from Staff Meeting, December 2, 2013;
- b. Minutes from Regular Session, December 3, 2013;
- c. Minutes from Staff Meeting, December 9, 2013;
- d. Sheridan County License Agreement 1324 LA to Montana Dakota Utilities to cross Upper Road, CR 113, to install a 2" Polyethylene Natural Gas Line (fee paid);
- e. Official Bond and Oath for Mike Connell, Treasurer, Predator Management District of Sheridan County, January 1, 2014 – January 1, 2015 in the amount of \$50,000;
- f. Affirm Application for Transplant Insurance with United Healthcare Insurance Company.

### AGENDA

Commissioner Ringley moved to approve the agenda as published. Commissioner Nickel seconded the motion, all voted in favor and it passed.

### ANNOUNCEMENTS

Chairman Maier announced the courthouse holiday closures and the Extension Office move to the college.

### PUBLIC COMMENTS

There were no public comments on matters not on the agenda.

### RESOLUTION 13-11-034 FLOODPLAIN MANAGEMENT RULES

Ron Patterson, John Fafoutakis, Mitch Cangiamilla and Vicki Taylor addressed the board. Commissioner Ringley moved to approve and authorize the Chairman to sign Resolution 13-11-034, Adopting new Rules and Regulations Governing Floodplain Management in Sheridan County, Wyoming. Commissioner Rolston seconded the motion and it passed unanimously.

#### RESOLUTION 13-11-034

#### RESOLUTION TO ADOPT NEW RULES AND REGULATIONS GOVERNING FLOODPLAIN MANAGEMENT IN SHERIDAN COUNTY, WYOMING

**WHEREAS**, the Board of County Commissioners, observing a need to adopt new rules and regulations governing floodplain management, expressed its intent on September 3, 2013;

**WHEREAS**, the proposed new rules and regulations were made available to the public by paper copy and on the County's website;

**WHEREAS**, the Sheridan County Planning and Zoning Commission, at a public hearing during its regular meeting of October 3, 2013, recommended approval of the proposed new rules and regulations, including two additional changes;

**WHEREAS**, on November 5, 2013 the Board held a public hearing pursuant to Wyo. Stat. § 18-5-202, and after consideration of public comments and changes recommended by the Planning and Zoning Commission, the Board denied adoption of the proposed *Rules and Regulations Governing Floodplain Management in Sheridan County, Wyoming*;

**WHEREAS**, on December 3, 2013, the Board considered additional changes and directed that the *Rules and Regulations Governing Floodplain Management in Sheridan County, Wyoming* be further modified; and

**NOW, THEREFORE, BE IT RESOLVED** that the Board of County Commissioners approves the *Rules and Regulations Governing Floodplain Management in Sheridan County, Wyoming*.

**BE IT FURTHER RESOLVED** that the *Flood Hazard Standards for Sheridan County, Wyoming*, effective January 7, 2010, and any previously adopted versions of said *Standards*, are hereby rescinded.

**BE IT FURTHER RESOLVED** that the new rules and regulations be filed with the County Clerk. **ADOPTED** at a regular meeting of the Board of County Commissioners this 17th day of December, 2013.

**BOARD OF COUNTY COMMISSIONERS**

Sheridan County, Wyoming

/s/ Steve Maier, Chairman

**ATTEST:**

/s/ Eda Schunk Thompson, County Clerk

STORAGE BUILDING CHANGE ORDER

Following a staff report from Renee' Obermueller, Administrative Director, Commissioner Rolston moved to ratify Change Order #3 for the Sheridan County Storage Building with Diamond Point Construction Inc., for a reduction in the amount of \$2,385.00. Commissioner Nickel seconded the motion which passed with all voting in favor.

**RESOLUTION 13-12-039 PURCHASE JOHN DEERE MOTOR GRADERS**

Following a staff report from Ms. Obermueller, Commissioner Rolston moved to approve and authorize the Chairman to sign Resolution 13-12-039 and associated documents for loan #01-800411-15 with First Federal Savings Bank, authorizing the purchase of two (2) , 2013 John Deere 772G motor graders in the amount of \$270,534.66. Commissioner Ringley seconded, all voted in favor and the motion carried.

**RESOLUTION 13-12-039**

**A RESOLUTION OF THE GOVERNING BODY OF SHERIDAN COUNTY, WYOMING, AUTHORIZING THE EXECUTION AND DELIVERY OF LOAN DOCUMENTS FOR LOAN NO. 01-800411-15 AND SUPPLEMENTAL EXHIBITS THERETO WITH RESPECT TO DEBT CREATED FOR THE PURCHASE OF TWO 2013 JOHN DEERE 772G MOTOR GRADERS; AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AND AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY FOR THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION**

**WITNESSETH**

**WHEREAS, Sheridan County, Wyoming (Lessee), a body politic and corporate existing as a political subdivision of the State of Wyoming, duly organized and existing under the Constitution and laws of the State of Wyoming; and**

**WHEREAS, pursuant to W.S. § 18-2-101, the County is authorized to convey property owned by the County, when it is in the best interest of the County, and to make contracts and perform other acts relating to the property and concerns of the County in the exercise of its corporate or administrative powers; and**

**WHEREAS, the Board of County Commissioners of the County (the "Board"), has determined that it is the best interest of the County to finance the purchase two(2)- 2013 John Deere 772G Motor Graders for use of maintenance and construction on County Roads; and**

**WHEREAS, the Board desires to authorize certain officers of the County and members of the Board to proceed to finalize the loan documents and all other documents necessary to effect the refinance and to negotiate the necessary terms and provisions thereof.**

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHERIDAN COUNTY THAT:**

- 1. All action heretofore taken (not inconsistent with the provisions of this Resolution) by the Board or officers or employees of County, directed toward financing two(2)- 2013 John Deere 772G Motor Graders Serial #'s 1DW772GPJDE656032 and 1DW772GPVDE656079 is hereby ratified, approved and confirmed.**
- 2. The loan documents, in substantially the same form as presented at this meeting, are hereby approved and the Chairman of the Board where appropriate, are authorized and directed to affix thereto his signature and the official corporate seal of the County thereto on loan documents for loan No. 01-800411-15 with First Federal Savings Bank of Sheridan, Sheridan County Wyoming, for the total finance amount of \$270,534.66 with balance plus interest in monthly installments, all in accordance with the loan documents attached hereto, and made a part hereof.**
- 3. The Chairman is authorized to execute such other documents and certificates and to take all actions necessary to effectuate the purpose of this Authorization Resolution and the matters covered hereby.**
- 4. If any section, paragraph, clause, or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect the remaining provisions of this Resolution.**
- 5. All resolutions, or parts thereof, inconsistent with this Resolution or with any of the documents hereby approved, are hereby repealed only to the extent of such inconsistency. This repealer shall not be construed as reviving any resolution or part thereof.**

**APPROVED AND ADOPTED this second 17th day of December, 2013.**

**BOARD OF COUNTY COMMISSIONERS**

**Sheridan County, Wyoming**

Board of County Commissioners

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**/s/Steve Maier, Chairman**

**/s/Eda Schunk Thompson, County Clerk**

**RESOLUTION 13-12-040 RED GRADE CR 26 WINTER TRAVEL**

Commissioner Ringley moved to approve and authorize the Chairman to sign Resolution 13-12-040, Red Grade Road, County Road 26, Winter Travel Management, specifying that wheeled motorized vehicles are prohibited from December 15 – April 1. The motion was seconded by Commissioner Nickel and passed unanimously.

**RESOLUTION 13-12-040  
RED GRADE ROAD  
WINTER TRAVEL MANAGEMENT**

**WHEREAS, the Board of County Commissioners of Sheridan County, Wyoming observes a need to promote safety for citizens and visitors, and prevent conflicts between users of wheeled motorized vehicles and non-wheeled motorized vehicles on Red Grade Road (County Road 26) bordering the Bighorn National Forest; and**

**WHEREAS, on October 21, 1980 and February 16, 1988 the Board of County Commissioners of Sheridan County approved resolutions closing Red Grade Road (County Road 26) for safety reasons during winter travel months restricting the use to snow track and certain all-Terrain vehicles; and**

**WHEREAS, on November 20, 2008, the Board of County Commissioners of Sheridan County enrolled Red Grade Road (County Road 26) into the Wyoming State Trails Program administered by the Wyoming Department of State Parks and Cultural Resources by resolution 08-11-042; and**

**NOW, THEREFORE, BE IT RESOLVED by the governing body of Sheridan County that wheeled motorized vehicles are prohibited from December 15 through April 1 on Red Grade Road (County Road 26).**

**BE IT FURTHER RESOLVED that this Resolution supersedes resolutions approved on October 21, 1980 and February 16, 1988; and shall remain in effect until amended or rescinded.**

**BE IT FURTHER RESOLVED that Resolution 08-11-042 shall remain in effect until amended or rescinded.**

**Adopted the seventeenth day of December, 2013.**

**BOARD OF COUNTY COMMISSIONERS  
Sheridan County, Wyoming**

**/s/Steve Maier, Chairman  
PERSONNEL POLICY CHANGE**

**ATTEST:**

**/s/Eda Schunk Thompson, County Clerk**

Following a staff report from Ms. Obermueller, Commissioner Cram moved to approve changes to the Personnel Policy for Sheridan County Employees as specified. Commissioner Rolston seconded the motion and all voted in favor.

**FAIRBOARD REAPPOINTMENT**

Commissioner Nickel moved to reappoint Ed Johlman to the Fair Association Board for a 5 year term until January, 2019. Commissioner Ringley seconded and the motion carried unanimously.

**FY2012-13 AUDIT**

Ms. Obermueller explained there were no audit findings and Commissioner Rolston moved to accept the 2012-13 Financial Audit prepared by Porter, Muirhead, Cornia & Howard. Following a second from Commissioner Nickel, the motion passed with all voting in favor.

**ADJOURNMENT**

There being no further business to come before the Board, Chairman Maier adjourned the meeting at 9:36 a.m.

**BOARD OF COUNTY COMMISSIONERS  
Sheridan County, Wyoming**

**Attest:**

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Steve Maier, Chairman

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Eda Schunk Thompson, County Clerk