

MINUTES OF THE BOARD OF SHERIDAN COUNTY COMMISSIONERS

The Board met at 9:00 a.m., August 17, 2010, in regular session at the 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

There being no public comment on the Consent Agenda as read, the Board approved the Consent Agenda and authorized the Chairman to sign documents as required.

- a. Minutes of special session, August 2, 2010;
- b. Minutes of regular session, August 3, 2010;
- c. Official Bond and Oath for Mavis M. Biastoch, Treasurer, Sheridan County Fire Board, coverage of \$6,000, term to May 7, 2011;
- d. Affirm Chairman's execution of Business Associate Agreement with Correctional HealthCare Management, Inc. (addressing HIPPA requirements);
- e. Affirm Administrative Director's execution of Amendment #18 to the Plan Document and Summary Plan Description for Sheridan County Health Benefit Plan (amending the Maximum Out-of-pocket Payment provision and the Mental Disorders and Substance Abuse Treatment benefit under the Schedule of Benefits section; amending the Mental Disorders and Substance Abuse Treatment benefit in the Covered Charges section; and amending the definition of Genetic Information under the Defined Terms section.)
- f. Affirm Administrative Director's execution of Amendment #19 to the Plan Document and Summary Plan Description for Sheridan County Health Benefit Plan (amending provisions under the Eligible Classes of Dependents section).

AGENDA

The Board approved adding to the published agenda consideration of a change to the unfiled final plat of the Sandstone Subdivision. The agenda was approved as amended.

ANNOUNCEMENTS

Chairman Maier advised that partial County fire restrictions are in place. Residents may access the rules on the County's website, www.sheridancounty.com.

The Chairman announced that there is an opening on the Sheridan County Fair Association board for an unexpired term to January 2012. Interested persons may apply to the Commission Office by completing the form that can be found at www.sheridancounty.com under Boards.

Commissioner Cram reported that Bill Adsit advised that the Public Land Users Committee received permission from the State Land Board to construct a Motocross track at the 3 Poles Recreation Area. He said the track has been designed and they may start work soon. He said PLUC is looking for volunteers to help with the project.

Commissioner Cram said that the County Sheriff's Office has caught mud-boggers who have been fined and are required to provide restitution to the State Land Board. He also commented that PLUC would be asking for County assistance to supply a portable restroom at the site.

PUBLIC COMMENTS

There were no comments.

COUNTY AIRPORT

Airport Manager John Stopka said FAA discretionary funds may become available to allow for the purchase of a new Aircraft Rescue and Firefighting vehicle for the Airport, estimated at a cost of \$1 million. He said the State Aeronautics Division has its required match, and the County match could come from adjustment of other project grants. He said specifications are being prepared for the vehicle bid request, which would be custom built and could take 8-10 months to build. The Airport has a 1976 vehicle and the 1993 vehicle needs to be replaced. Mr. Stopka said the Airport does respond to large flammable liquid fires with these vehicles through a mutual aid agreement. The Board approved Resolution 10-08-027, authorizing the Chairman to submit the grant application to the State Aeronautics Division for the purchase of the vehicle, in the total project amount of \$1,052,632, consisting of \$1,000,000 through the FAA, \$31,579 from the State and \$21,053 from the County Airport budget.

RESOLUTION 10-08-027

WHEREAS: There is a need for an Aircraft Rescue and Firefighting Vehicle; and

WHEREAS: The Federal Aviation Administration and 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 17th day of August 2010.

BOARD OF COUNTY COMMISSIONERS

Sheridan County, Wyoming
/s/Steve Maier, Chairman

Attest:

/s/Eda S. Thompson, County Clerk

STATE OF WYOMING)
COUNTY OF SHERIDAN)

On this ____ day of _____, 2010, before me personally appeared Steve Maier, 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:

LAZY CROWN ESTATES SUBDIVISION, S-10-007M

Chairman Maier said the Board would consider this request by Larry and Laurie White to subdivide 38.5 acres to create three lots. As no one present opposed the subdivision, and the applicants waived their right to a contested case hearing, the Board proceeded to consider the application under the expedited process. County Planner Mark

Reid reported that the property is addressed as 62 Beaver Creek Road in the Rural Residential zoning area. He said the Planning and Zoning Commission voted to recommend approval and he read the proposed conditions. Chairman Maier confirmed with Mr. White that he agreed with the conditions and hoped he and the Planning Office would find a reasonable solution to the one structure not complying with the setback requirement.

The Board approved the Lazy Crown Estates Subdivision with the following conditions:

1. Building permits and inspections shall be required.
2. The applicants shall work with the County Engineering office prior to starting ground work for the shared access for lots 1, 2, and 3.
3. The applicants shall remove all structures as noted on the site plan by December 31, 2010.
4. The applicants shall work with the Rural Fire Protection District in providing either a dry pump standpipe or a 4-1/2 inch suction pipe with National Standard threads and to upgrade new and existing driveways to an all-weather substrate with a width of 15 feet.

The Chairman advised that Findings of Fact Conclusions of Law supporting the Board's decision would be provided to the applicants.

SANDSTONE SUBDIVISION

Mr. Reid reported that in the process of further evaluating the final plat to obtain signatures for this subdivision, a change in the width of the 20 foot irrigation and utility easement was noted. This easement affects lots 7 through 11, and is now depicted as a multi-width easement, up to 50 feet wide. As the final plat is the legal document of a subdivision, Mr. Reid asked the Board to act on this change. The Board revoked its January 19, 2010 approval of the depicted 20-foot easement on the final plat of the Sandstone Subdivision, and approved the presented change in the depiction of the easement. The Board then affirmed its January 19, 2010 approval of the Sandstone Subdivision with the incorporation of the aforementioned revision to the irrigation and utility easement

ONE CENT OPTIONAL SALES AND USE TAX

Administrative Director Renee Obermueller commented that the community survey on the tax actually delayed the decision on the funding allocation which will be completed shortly. She acknowledged that the Clerk must receive the Board's notification to place the proposition on the ballot at least 70 days before the general election. The Board approved Resolution 10-08-028, authorizing the tax proposition to be brought before the voters in the 2010 general election. Commissioner Cram commented that the Wyoming Statute allows this tax to continue but the Board has always preferred that it be voted on by county residents.

**RESOLUTION 10-08-028
PROPOSITION FOR CONTINUANCE OF
OPTIONAL ONE CENT SALES AND USE TAX
SHERIDAN COUNTY, WYOMING**

WHEREAS, the Board of County Commissioners of Sheridan County, Wyoming unanimously support the continuance of the Optional One Cent Sales and Use Tax; and

WHEREAS, the electorate of Sheridan County, Wyoming did approve the continuance of the imposition of the Optional One Cent Sales and Use Tax in November 2006; and

WHEREAS, the proposition to continue the Optional One Cent Sales and Use Tax for an additional four years should be submitted to the qualified electors of Sheridan County at the next General Election in November 2010.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Sheridan County approve and hereby given written notification to the Sheridan County Clerk that the proposition to continue the Optional One Cent Sales and Use Tax for an additional four years should be placed before the voters at the next general election in November 2010, pursuant to W.S. 39-15-204(a)(i).

BE IT FURTHER RESOLVED that if the proposition is approved by the voters of Sheridan County, the revenue collection shall commence in July 2011 and end in June 2015.

DONE this _____ day of August, 2010.

BOARD OF COUNTY COMMISSIONERS

Sheridan County, Wyoming
/s/Steve Maier, Chairman

Attest:

/s/Eda S. Thompson, County Clerk

STATE OF WYOMING)
)
COUNTY OF SHERIDAN)

On this ____ day of _____, 2010, before me personally appeared Steve Maier, 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

COUNTY COURTHOUSE

Mr. Obermueller advised that four bids were received for upgrades to the first floor corridor of the County Courthouse, with Fry Construction being the low bidder at \$95,800 for the base bid. Ms. Obermueller said this work would update the lighting system, replace ceiling tile, paint, wall tile, change doors and hardware for ADA compliance, signage and minimal HVAC work. Included in the award is Alternate 1 which will convert the remaining pneumatic controllers in other areas of the Courthouse to digital systems. Alternate 2 includes installation of shatter resistant glass for the first floor offices for code compliance, as this rule came into effect about six months ago. The Board awarded the bid for the Courthouse first floor corridor upgrades and alternates to Fry Construction of Sheridan, in the amount of \$172,600, and authorized the Chairman to sign the contract documents upon review and approval by the Deputy County Attorney.

Ms. Obermueller said two qualified bids were received to re-roof the Courthouse Addition. She said that during the remodel, leaking drains were discovered and the protective layer under the roof ballast was found to be deteriorated. The Board awarded the bid for the Courthouse roof replacement project to Lowe Roofing, in the amount \$96,900, and authorized the Chairman to sign the contract documents upon review and approval by the Deputy County Attorney.

Ms. Obermueller said that both of these contracts are covered under capital improvements in the General Fund.

FORWARD SHERIDAN

Ms. Obermueller advised that the approved agreement with Forward Sheridan needed to be changed to reflect that Sheridan County would carry the property insurance rather than Forward Sheridan. She said that a further change is possible after the Wyoming Business Council reviews the grant agreement. Upon a question by the Board, Ms. Obermueller said the County would own a portion of the Double Eagle Tech Park building, consisting of 5500 s.f., for which Forward Sheridan would pay rent that would be held in a reserve account for future economic development. The County's building portion will be purchased after the WBC agreement is in place. Forward Sheridan will lease from the County and sub-lease to tenants. The Board revoked its agreement with Forward Sheridan approved on July 6, 2010 and affirmed the Chairman's execution of the presented Operating, Maintenance and Lease Agreement with Forward Sheridan, incorporating the insurance provision change.

PUBLIC HEALTH

Ms. Obermueller advised that the Wyoming Department of Health has requested a change in the contract that funds the Public Health Officer so that such funding is passed through the County rather than by direct payment to the Officer. The Board accepted the grant award agreement as drafted to fund the County Health Officer for a period to August 31, 2011, in an amount not to exceed \$12,000. The Chairman was authorized to execute the final grant award agreement when received if it is not substantially changed from the presented draft.

STORY FUELS MITIGATION PROJECT

Grants Administrator Mike Mackey reported that County Fire Warden Bill Biastoch has been working in the county to establish defensible areas around structures. The county has a \$137,000 grant for this purpose from the Wyoming State Forestry Division. One of these is the Story Fuels Mitigation Project. Mr. Biastoch said Jeffrey Wenckus has contacts in Story that will benefit his coordination with landowners in developing a plan and work with the eventual contractor to clear trees and brush. To assist Mr. Biastoch with the Story project, the Board authorized the Chairman to sign the agreement with Jeffrey C. Wenckus for the purpose of developing a fire mitigation plan for the Story area, paid at \$22/hour plus approved expenses, term to run with the grant to December 31, 2011.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 9:44 a.m.

BOARD OF COUNTY COMMISSIONERS
Sheridan County, Wyoming

Attest:

Steve Maier, Chairman

Eda S. Thompson, County Clerk