

**Park County Board of Commissioners
April 10-11, 2007
Work Sessions and Regular Meeting**

Proceedings of two work sessions and a regular meeting of the Board of County Commissioners of Park County, Wyoming, held in Cody, Wyoming on Tuesday and Wednesday, April 10 and 11, 2007. Present were Commission Chair Bucky Hall, Commissioners Marie Fontaine, Tim French, Bill Brewer and Jill Shockley Siggins and County Clerk Kelly Jensen.

Work Session with County Planning Department

Commissioners met with staff of the Park County Planning Department in the Old Law Library to review current planning issues and a proposed fee structure for future projects. No action was taken. Following the work session the regular meeting of the Board of County Commissioners commenced in the Commissioners' Room.

Northwest Rural Water District Inclusion Petitions

Chairman Hall opened a public hearing to consider inclusion of properties into the Northwest Rural Water District (NWRWD) without election. NWRWD Manager Dossie Overfield outlined properties that have petitioned for inclusion. It does not require an election as the only properties to be added have asked to be included in the District. Property owners seeking inclusion pay the cost to expand the system to their properties.

There being no comments, Commissioner French made a motion, seconded by Brewer, to close the public hearing. Motion carried.

Commissioner Fontaine made a motion, seconded by Shockley Siggins, to approve the Northwest Rural Water District inclusion petitions and allow the Chair to sign the Order approving the petition for enlargement without election. Motion carried.

Ronald & Carolyn Williams Appeal

County Planner Linda Gillett presented the basis for denying a petition by Ronald and Carolyn Williams for a family exemption from Chapter 1, Section 9 of the Park County Development Standards and Regulations and the applicants' appeal of the decision.

Commissioner Shockley Siggins made a motion, seconded by Fontaine, that based on the findings of the County Planner, Ronald and Carolyn Williams appeal of the County's denial of a family exemption to the subdivision permit requirements of Chapter 1, Section 9 of the Park County Development Standards and Regulations be denied. Motion carried.

Scott & Marjory Justice Private Road

Deputy County Attorney Jim Davis updated the Board on the Petition of Scott Justice and Marjory E. Justice for the Establishment of a Private Road and the findings of fact and conclusions of law following the public hearing held January 24, 2007. The Board must now appoint viewers and appraisers to establish a route to the property and the value of damages to landholders.

Commissioner French made a motion, seconded by Brewer, to approve and authorize the Board to sign the Findings of Fact and Conclusions of Law and the order to move forward with appointing viewers and appraisers. Motion carried.

Commissioner Fontaine made a motion, seconded by French, to approve the Notice of Right to Object to Proposed Viewers and Appraisers and direct the County Attorney's office to contact ten individuals named as potential viewers and appraisers. Action to select the final three individuals may be taken at the April 17, 2007 Board meeting. Motion carried.

Executive Session

Commissioner Fontaine made a motion, seconded by Shockley Siggins, to go into executive session pursuant to Wyoming Statute 16-4-405(a)(ix) to consider or receive confidential information. Motion carried.

Commissioner Fontaine made a motion, seconded by Brewer, to go out of executive session and return to the regular meeting. Motion carried.

Approve Minutes

Commissioner Fontaine made a motion, seconded by Brewer, to approve the minutes, as corrected, of the April 3, 2007 regular meeting of the Board of County Commissioners. Motion carried. Shockley Siggins was not present to vote.

Request to Fill Position – County Clerk

Commissioner French made a motion, seconded by Fontaine, to authorize the County Clerk to advertise and fill an open position for a title and land clerk. Motion carried.

Higgins-Tipton Road Variance Resolution

Commissioner French made a motion, seconded by Brewer, to approve **RESOLUTION 2007-19**, ACTION APPROVING A VARIANCE TO CRANDALL PROPERTIES, LLC, FROM THE APPLICATION OF REGULATIONS PERTAINING TO SUBDIVISION ROADS IN THE HIGGINS-TIPTON SUBDIVISION ON LAND LOCATED ALONG HIGHWAY 296 IN THE COMMUNITY OF CRANDALL. THE LEGAL DESCRIPTION IS LAND WITHIN HOMESTEAD ENTRY SURVEY (H.E.S.) NO. 177, T.56N., R.106W., 6TH P.M., PARK COUNTY, WYOMING. Motion carried.

Meeteetse Local Planning Area Advisory Committee

The Board tabled consideration of the Meeteetse Local Planning Area Advisory Committee until the April 17, 2007 meeting of the Board of County Commissioners.

Proclamation for Soil & Water Stewardship Week

Commissioner Fontaine made a motion, seconded by Brewer, to approve the Proclamation declaring April 29 through May 6, 2007 Soil and Water Stewardship Week in Park County. Motion carried.

Amend Agenda

Commissioner French made a motion, seconded by Shockley Siggins, to amend the agenda to add acceptance of excess milling materials from WYDOT. Motion Carried.

Acceptance of Excess Milling Material

Commissioner French made a motion, seconded by Fontaine, to accept 10,200 tons of excess milling material from the Wyoming Department of Transportation and allow the Chair to sign the agreement stating WYDOT will mill and haul the material to the Park County pit north of Cody, with the County releasing WYDOT from responsibility. Motion carried.

Copperleaf Major Subdivision Permit Continued Public Hearing

Chairman Hall opened the continued public hearing of February 6, 2007 on the Copperleaf Major Subdivision Permit Approval and Final Plat Approval to allow the use of three supplemental water supply wells as approved by the Wyoming Department of Environmental Quality. The Permit is Number 06-274RR in the GR-5 (General Rural 5-Acre) Zoning District. The applicant is the Worthington Group.

Upon hearing comments from the applicant's representatives and three area residents opposing the wells, the Commissioners asked for further comments. There being no further comments, Commissioner Fontaine made a motion, seconded by Brewer, to close the public hearing.

Commissioner Fontaine made a motion, seconded by French, to allow the use of three water supply wells, limiting that use to 200 hours per year and requiring the applicant to notify the County when the wells are put in use and turned off so the time can be tracked. Further, if the use extends beyond the 200 hours per year, the wells would be shut down. The allowed use is for emergencies only, such as problems with the infiltration system. Voting in favor of the motion were Commissioners Fontaine, French and Chairman Hall. Opposed were Shockley Siggins and Brewer. The motion carried.

State Loan and Investment Board Funding Project

Commissioner French made a motion, seconded by Fontaine, to submit the Lane 9 West Phase 2 project to the State Land and Investment Board (SLIB) for funding in the Consensus List process and to use County Road Fund (CRF) money in conjunction with the SLIB funding to pay the full costs of the project. Voting in favor of the motion were Commissioners Fontaine, French and Chairman Hall. Opposed were Commissioners Brewer and Shockley Siggins. The motion carried.

County Commission Scholarships

Commissioner Shockley Siggins made a motion, seconded by Fontaine, to award the 2007 County Commissioner scholarships to Tad Denning of Cody, Shaniel Haney of Powell, Amanda Luther, attending Northwest College and Allison Coy of Powell for the renewal scholarship. Motion carried. Commissioner Brewer was not present for the vote.

Alternates named are Heather Nielsen of Powell; Courtney Boutelle of Cody and Kelsey Roberson of Meeteetse as the renewal alternate.

CMAR Interviews

Commissioners interviewed Library Project Construction Manager-at-Risk applicants Cowan Construction, Groathouse Construction and Wright Brothers, The Building Company, in the Old Law Library. No action was taken.

Recess

Commissioner Shockley Siggins made a motion, seconded by Brewer, to recess the meeting until Wednesday, April 11, 2007 at 8:30 a.m. Motion carried

Reconvene for Work Session

The Board of County Commissioners reconvened the April 10, 2007 meeting at 8:30 a.m. in the Old Law Library on April 11, 2007 for a Work Session with the Park County Engineering and Road and Bridge Departments. Budget projections and project priorities were reviewed. No action was taken.

Bonds

The following bonds, having been approved by County Attorney Bryan Skoric, were approved by the Board of County Commissioners:

Alan Swenson, West Park Hospital Board.....\$ 25,000.00

Earnings and Collections

The following Earnings and Collections were presented to the Board and approved:

Joyce Boyer, Clerk of District Court.....\$ 8,491.92

Scott Steward, Sheriff.....\$ 5,141.61

Adjournment

There being no further business to come before the Board of County Commissioners, Commissioner French made a motion, seconded by Shockley Siggins, to adjourn the meeting. Motion carried.

Bucky Hall, Chairman
Park County Board of Commissioners

Bill Brewer, Commissioner

Marie Fontaine, Commissioner

Tim French, Commissioner

Jill Shockley Siggins, Commissioner

Seal:
Attest:

Kelly Jensen, County Clerk