

**Park County Board of Commissioners
December 18, 2007
Regular Meeting**

Proceedings of a regular meeting of the Board of County Commissioners of Park County, Wyoming, held in Cody, Wyoming on Tuesday, December 18, 2007. Present were Commission Chair Bucky Hall, Commissioners Bill Brewer, Tim French, Jill Shockley Siggins and Marie Fontaine, and County Clerk Kelly Jensen.

Elk Run Major Subdivision SUP

Chairman Hall opened a public hearing to consider the application of San Marco West, LLC for the Elk Run Major Subdivision for a Special Use Permit to allow a major subdivision of 45.55+/- acres into six single-family residential lots ranging in size from 7.3+/- acres to 7.4+/- acres in the GR-P zoning district, located north of Lane 8, west of Highway 294.

Having heard comments from the County Planning staff and County Engineer and there being no further comments, Commissioner Fontaine made a motion, seconded by French, to close the public hearing. Motion carried.

Commissioner Siggins made a motion, seconded by Fontaine, to approve **RESOLUTION 2007-95, APPROVAL OF A SPECIAL USE PERMIT FOR THE ELK RUN MAJOR SUBDIVISION LOCATED WITHIN LOT 9 AND THE W1/2SE1/4 OF SECTION 6 AND LOT 10 OF SECTION 7, T55N, R100W, 6TH P.M., PARK COUNTY, WYOMING**, with the following information added to the plat: 1) The high ground water level was reported to the DEQ at the 7-foot depth. DEQ requires a four-foot vertical separation between the leachfield and the high ground water level. Some of the leachfield systems within this subdivision may require some degree of mounding to maintain the required separation distances; and 2) Point-of-use treatment devices such as reverse osmosis or distillation may be advisable given that the aquifer is shallow and could easily be impacted by activities such as fertilizer and pesticide applications, etc. Motion carried.

Luckinbill Amended Plat

Chairman Hall opened a public hearing to consider the application of Larry Lee Luckinbill for approval of an Amended Plat for Lot 2 of Luckinbill North SS-53 and a parcel of land within H.E.S. #180 to transfer 2.99+/- acres from Lot 2 to an adjacent parcel. The property is located south of Highway 296, near 3747 Highway 296 legally described as Lot 2 of Luckinbill North SS-53 and a parcel of land within H.E.S. #180, T56N, R106W, 6th P.M., Park County, Wyoming.

Having heard comments from the County Planning staff and the applicant and there being no further comments, Commissioner French made a motion, seconded by Brewer, to close the public hearing. Motion carried.

Commissioner Brewer made a motion, seconded by Fontaine, to approve **RESOLUTION 2007-96, APPROVAL OF AN AMENDED PLAT FOR LOT 2 OF LUCKINBILL NORTH SS-53 AND A PARCEL OF LAND WITHIN H.E.S. #180, T56N, R106W, 6TH P.M., PARK COUNTY, WYOMING**. Motion carried.

Northwest College Food and Hospitality Program

Northwest College's Training and Development Program Coordinator Marla Muscio; Food and Hospitality Coordinator Linda Rogers; and Director of Training George Miller presented preliminary plans for the Food and Hospitality Program and the intended use of kitchen facilities and equipments in the new Park County Library. Muscio described potential funding for a portion of the costs associated with the kitchen in the library building and the intended program phasing. Park County Library Director Frances Clymer expressed the Park County Library Board's concerns that costs associated with the kitchen not take away from the library construction project. No action was taken.

Approval of Minutes 12/4/07

Commissioner Fontaine made a motion, seconded by Siggins, to approve the minutes from the December 11, 2007 regular meeting. Motion carried.

Hartford Insurance Cancellation

Commissioner Fontaine made a motion, seconded by Siggins, to allow the Chairman to sign the Cancellation Request/Policy Release with HUB International Mountain States Limited for Hartford Underwriters Insurance Company to cancel Park

County's Non-Hazardous Worker's Compensation Coverage effective February 1, 2008 and to begin Wyoming Worker's Compensation for all County employees. Motion carried.

Policy Manual

Commissioner Fontaine made a motion, seconded by French, to adopt the new Park County Policy Manual effective January 1, 2008, further establishing that all prior general County policies and policy manuals will no longer be in effect upon that date. Motion carried.

Commissioner Fontaine made a motion, seconded by French, to offer all employees employed as of 12/18/07 four hours off, with pay, as a goodwill gesture, with the four hours to be used between January 1, 2008 and June 30, 2008 or lose the hours without compensation. Voting in favor of the motion were Commissioners French, Brewer and Fontaine. Opposed was Commissioner Siggins. Motion carried.

Park County Community Wildfire Protection Plan

Commissioner French made a motion, seconded by Siggins, to appoint Bucky Hall to serve on the Park County Community Wildfire Protection Plan Operating Group. Motion carried.

Bid Openings – Lane 9 West Phase II Culverts

Project Manager Mike Collier opened the only bid received for box culverts. Upon recommendation from Collier, Commissioner French made a motion, seconded by Siggins, to award the bid to Cretex Concrete Products West with offices in South Dakota, Montana and Wyoming, in the amount of \$127,452.40, for box culverts for the Lane 9 West Construction Project, Phase II and allow the Chair to sign the notice of award and notice to proceed when it arrives. Motion carried.

USFS Highway Easement Deed Road YXD

Commissioner French made a motion, seconded by Brewer, to approve and authorize the Chair to sign the ten-year USFS Highway Easement Deed for Highway Project 0C11-00(060), Park County Road YXD, South Fork of the Shoshone River Bridge. Motion carried.

Integrated Solid Waste Management Plan

Commissioner Brewer made a motion, seconded by Fontaine, to approve and allow the Chair to sign a contract with Peak Environmental Management, Inc. to prepare and publish materials and information required to fulfill Article 19 of the State of Wyoming Environmental Quality Act, development of an Integrated Solid Waste Management Plan, with all work to be substantially completed on or before July 1, 2009 for a cost not to exceed \$150,000. Motion carried.

Compensation and Classification Study

Upon recommendation from County Clerk Kelly Jensen, Commissioner Fontaine made a motion, seconded by Siggins, to enter into a contract with Personnel Systems and Services of Salt Lake City, Utah, for Option 1 of a Park County Classification and Compensation Study, at a cost of no more than \$33,204.00. Motion carried.

Conservation District Letter of Support

Steve Jones, Meeteetse Conservation District Manager and Ann Trosper, Powell-Clarks Fork Conservation District Manager presented a request for support of the Wyoming Conservation Districts and their Fiscal Year 09-10 Exception Budget Request for Water Quality Funding in the amount of \$375,738.

Commissioner French made a motion, seconded by Fontaine, to approve **RESOLUTION 2007-97, WYOMING CONSERVATION DISTRICTS FY 09-10 EXCEPTION BUDGET REQUEST FOR WATER QUALITY FUNDING.** Motion carried.

Mystic Monk Coffee SUP

Chairman Hall opened a public hearing to consider the application of Monks of the Most Blessed Virgin Mary of Mount Carmel for approval of a variance to allow a minor commercial business in the GR-35 zoning district; a Special Use Permit to allow a minor commercial business for Mystic Monk Coffee, a mail-order coffee roasting business; and a Special Use Permit to allow a major institutional use for a monastery. The property is located south of Road 6WX at 750 Road 6NQ, east of the Carter Mountain Access Road on the "Irma Lake Ranch" property legally described as a parcel of land within Lot 93, Lot 44,

Lot 92 and Lot 45, Resurvey, T50N, R103W, 6th P.M., Park County, Wyoming. The property lies within the GR-35 (General Rural 35-acre) zoning district.

Commissioner French made a motion, seconded by Brewer to approve **RESOLUTION 2007-98**, APPROVAL OF A VARIANCE TO ALLOW A MINOR COMMERCIAL BUSINESS FOR MYSTIC MONK COFFEE AS A USE PERMITTED WITH A SPECIAL USE PERMIT IN THE GR-35 ZONING DISTRICT WITHIN LOT 93, LOT 44, LOT 92 AND LOT 45, RESURVEY, T50N, R103W, 6TH P.M., PARK COUNTY, WYOMING. Motion carried.

Commissioner French made a motion, seconded by Siggins, to approve **RESOLUTION 2007-99**, APPROVAL OF A SPECIAL USE PERMIT TO ALLOW A MINOR COMMERCIAL BUSINESS FOR MYSTIC MONK COFFEE WITHIN LOT 93, LOT 44, LOT 92 AND LOT 45, RESURVEY, T50N, R103W, 6TH P.M., PARK COUNTY, WYOMING. Motion carried.

Commissioner Fontaine made a motion, seconded by Brewer, to approve **RESOLUTION 2007-100**, APPROVAL OF A SPECIAL USE PERMIT TO ALLOW A MAJOR INSTITUTIONAL USE FOR A MONASTERY WITHIN LOT 93, LOT 44, LOT 92, AND LOT 45, RESURVEY, T50N, R103W, 6TH P.M., PARK COUNTY, WYOMING. Motion carried.

Having heard comments from the County Planning staff, the applicant and Tara Hodges of the Wyoming Game and Fish and there being no further comments, Commissioner Fontaine made a motion, seconded by French, to close the public hearing. Motion carried.

Executive Session

Commissioner Fontaine made a motion, seconded by Siggins, to go into executive session pursuant to Wyoming Statute 16-4-405(a)(ix), matters confidential by law. Motion carried. Commissioner French made a motion, seconded by Brewer, to go out of executive session and return to the regular meeting. Motion carried.

White Park Broadcasting

Chairman Hall opened a public hearing to consider the application of White Park Broadcasting, on property owned by Hunt Oil, for a Special Use Permit to allow a major utility use for a communications facility of a 195' guyed tower and a 216 sf single story building to house broadcast equipment and a propane generator. The property is legally described within the NE1/4SE1/4 of Section 18, T53N, R99W, 6th P.M., Park County, Wyoming, lying within the GR-35 (General Rural 35-Acre) zoning district located east of Cody north of Highway 14-16-20 south of the McCullough Peaks BLM Road.

Upon hearing comments from the County Planning staff, representatives of White Park Broadcasting and Legend Communications and one member of the public and there being no further comments, Commissioner Fontaine made a motion, seconded by Siggins, to close the public hearing. Motion carried.

Commissioner French made a motion, seconded by Fontaine, to approve **RESOLUTION 2007-101**, APPROVAL OF A SPECIAL USE PERMIT TO ALLOW A MAJOR UTILITY USE FOR A COMMUNICATIONS FACILITY WITHIN THE NE1/4SE1/4 OF SECTION 18, T53N, R99W, 6TH P.M., PARK COUNTY, WYOMING, with the three conditions recommended by the Planning and Zoning Commission. Voting in favor of the motion were Commissioners French, Fontaine and Siggins. Opposed was Commissioner Brewer. Motion carried.

Park County Fair Board

Commissioners met with Park County Fair Board members Dan Hadden, Steve Martin and Debbie Kelly and Fair Manager Steve Scott to review current and future financial needs for the Park County Fair. The discussion included consideration of increasing the \$125,000.00 operational reserve in future years. Fair staff will work with the Park County Clerk's office to develop a cash flow for the past three years to determine appropriate reserve levels prior to the FY 2009 budget presentation. No action was taken.

Executive Session

Commissioner Brewer made a motion, seconded by Siggins, to go into executive session pursuant to Wyoming Statute 16-4-405(a)(iii), potential litigation. Motion carried.

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

Bonds

The following bonds were approved by the Board of County Commissioners:

Bryan Lee, Big Horn School District #1 Recreational \$ 5,000.00
Kay Carlson, Powell Hospital District \$10,000.00

Adjournment

There being no further business to come before the Board, Commissioner Fontaine made a motion, seconded by Siggins, to adjourn the meeting. Motion carried.

Bucky Hall, Chairman
Park County Board of Commissioners

Tim A. French, Vice Chairman

Bill Brewer, Commissioner

Marie Fontaine, Commissioner

Attest:

Jill Shockley Siggins, Commissioner

Kelly Jensen, Park County Clerk