

**Park County Board of Commissioners  
February 13, 2007**

Proceedings of a regular meeting of the Board of County Commissioners of Park County, Wyoming, held in Cody, Wyoming on Tuesday, February 13, 2007. Present were Commission Chair Bucky Hall, Commissioners Marie Fontaine, Tim French, Bill Brewer and Jill Shockley Siggins and County Clerk Kelly Jensen.

**Public Hearing - Rodriguez Special Use Permit**

Chairman Hall announced the continuation of a public hearing that began January 29, 2007. The hearing, which began at 10:16 a.m. is to consider the Rodriguez Special Use Permit to allow a Rock Products Mine, Large for mining for use or sale off-site exceeding 2,000 cubic yards per year. The property lies within the GR-P (General Rural - Powell) zoning district and is located one mile northwest of Ralston. Assistant County Planner Nikki Burnett stated this is the renewal of a previously approved mining permit and we received no public input.

Commissioner Fontaine made a motion, seconded by French, to close the public hearing at 10:22 a.m. Motion carried.

Commissioner French made a motion, seconded by Fontaine, to adopt **RESOLUTION 2007-08, APPROVAL OF A SPECIAL USE PERMIT TO ALLOW A LARGE ROCK PRODUCTS MINE FOR A GRAVEL PIT AND PROCESSING WITHIN LOT 2 (20.28 +/- ACRES) OF THE RODRIGUEZ SS-64 SIMPLE SUBDIVISION WITHIN LOT 100-G OF LOT 100, T. 55 N., R. 100 W., 6<sup>TH</sup> P.M., PARK COUNTY, WYOMING.** Motion carried.

**Approval of Minutes**

Commissioner Fontaine made a motion, seconded by Shockley Siggins, to approve the minutes of the February 6, 2007 regular meeting, as corrected. Motion carried.

**Public Health Officer Agreement**

Commissioner Fontaine made a motion, seconded by French, to appoint Dr. Charles Jamieson as the Park County Health Officer and to compensate him at a rate of \$500.00 per month and to sign the agreement. Motion carried.

**4-H Educator Interview Committee**

Commissioner Fontaine made a motion, seconded by Shockley Siggins, for Commissioner French to serve as a liaison on the 4-H Educator Interview Committee. Motion carried.

**2007 Graduation Celebration**

Commissioner French made a motion, seconded by Brewer, to approve funds to support 2007 High School Graduation parties in the amounts of \$250 for Meeteetse, \$500 for Cody and \$500 for Powell. Motion carried.

**Public Hearing – Rice Kilroy Construction Special Use Permit**

Chairman Hall announced the continuation of a public hearing at 11:00 a.m. from a hearing dated January 29, 2007. The applicant, Rice-Kilroy Construction Company, Inc. is seeking a Special Use Permit to allow a Rock Products Mine, Large for processing of mined material and a Construction Staging Area on property owned by Tye and Tammi Henderson.

Assistant County Planner Nikki Burnett outlined the request for the Special Use Permit to allow a Rock Products Mine, Large to process mined material and for a Construction Staging Area. The land included covers 20 +/- acres out of a 58.23 +/- acre parcel. The property is located south of Lane 9 and west of Road 14. The land lies within the GR-P (General Rural Powell) zoning district. No comments were received.

Commissioner French made a motion, seconded by Fontaine, to close the public hearing at 11:02 a.m. Motion carried.

Commissioner Fontaine made a motion, seconded by Brewer, to approve **RESOLUTION 2007-09, APPROVAL OF A SPECIAL USE PERMIT TO ALLOW A LARGE ROCK PRODUCTS MINE AND A CONSTRUCTION STAGING AREA ON 20 +/- ACRES WITHIN THE N1/2 OF LOT 88A, T. 55 N., R. 100 W., 6<sup>TH</sup> P.M., PARK COUNTY, WYOMING.** Motion carried.

### **Town of Meeteetse Law Enforcement Agreement**

Commissioner Shockley Siggins made a motion, seconded by Fontaine, to approve and sign an agreement with the Town of Meeteetse for the Park County Sheriff's Department to provide law enforcement services for \$20,000 per year, with the first payment due August 1, 2007. The agreement will be in effect through January 31, 2008. Motion carried.

### **Declaration of Public Depositories**

Park County Treasurer Nena Graham-Burke presented the financial institutions that provided resolutions asking to be declared as depositories for Park County funds during calendar year 2007.

Commissioner French made a motion, seconded by Brewer, to approve US Bank of Cody, First National Bank and Trust of Powell, Shoshone First Bank of Cody, Big Horn Federal Savings Bank of Cody and Pinnacle Bank of Cody as public depositories for calendar year 2007. Motion carried.

### **Wyoming Conservation Alliance Membership**

Commissioner Fontaine made a motion, seconded by Shockley Siggins, to discontinue the membership agreement with the Wyoming Conservation Alliance. Motion carried.

### **ATM Machine at Park County Complex**

Commission Chair Hall presented a request from Shoshone First Bank to place an ATM machine at the Park County Complex in a location where the bank had installed infrastructure for an ATM when the building was owned by Marathon Oil Company.

Commissioner Shockley Siggins made a motion, seconded by Brewer, to approve the request by Shoshone First Bank to install an ATM machine in the Park County Complex. Voting in favor of the motion were Commissioners Shockley Siggins, Brewer and French. Opposed was Commissioner Fontaine who stated she wished to give other banks the same opportunity for an ATM placement. Motion carried.

### **Construction Manager at Risk**

Commissioner French reported the Library Planning Group unanimously recommended the Board of County Commissioners utilized a Construction Manager at Risk for the Library Construction project. Commissioner Fontaine reported she received an opposing opinion from a local contractor.

Commissioner French made a motion, seconded by Shockley Siggins, to utilize a Construction Manager at Risk for the Library Construction project. Voting in favor of the motion were Commissioners French and Shockley Siggins. Commissioner Fontaine opposed the motion stating some local contractors may be unable to bid on the project under this method. Commissioner Brewer was absent. Motion carried.

### **CTA Architects Agreement**

Deputy County Attorney Jim Davis presented a contract with CTA Architects and Engineers for design of the Park County Library construction project. Davis stated there are two parts to the contract; Part A outlines the contract price and jurisdiction and procedures in case of dispute; Part B outlines the services to be provided. The total cost of construction is \$5,799,000.

Commissioner French made a motion, seconded by Fontaine, to approve the contract between Park County, Wyoming and CTA Architects and Engineers for design of the \$5,799,000 Park County Library construction project and allow the chair to sign the contract. Commissioner Brewer was absent. Motion carried.

### **Search and Rescue Hangar Lease**

Deputy County Attorney Jim Davis presented a recommendation for the Board to approve an agreement with Jim McArtor to purchase a hangar for Park County Search and Rescue and seek approval from the Yellowstone Regional Airport (YRA) Board for the lease transfer. Payments for the hangar will be made as follows: \$30,000 on March 6, 2007; \$32,500 plus interest accruing at the rate of 5.79% on the unpaid principal balance on or before July 20, 2007; and \$32,500 plus interest accruing at the rate of 5.79% on the unpaid principal balance on or before July 20, 2008.

Commissioner Fontaine made a motion, seconded by French, to approve the lease purchase agreement as outlined, conditional upon approval by the YRA Board, with payments provided as outlined in March 2007, July 2007 and July 2008. Motion carried.

### **Stagecoach Estates SS-123**

Commissioner French stated he is related to one of the applicants but has no financial interest in the project or knowledge of the project.

Assistant County Planner Nikki Burnett presented the Stagecoach Estates Simple Subdivision whose applicant is T&H Development, LLC. It is described as a two-lot subdivision totaling 27.81 +/- acres for Lot 1 and 20.04 +/- acres for Lot 2 with an exempt parcel of 140.30 +/- acres, in the GR-20 zoning district from an original parcel containing 188.15 +/- acres within the NE1/4SW1/4, NW1/4SE1/4, NE1/4SE1/4, and the SE1/4SE1/4 of Section 22, T. 57N., R. 102 W., 6<sup>th</sup> P.M., Park County, Wyoming.

Commissioner French made a motion, seconded by Fontaine, to approve **RESOLUTION 2007-10, APPROVAL OF A FINAL PLAT FOR THE STAGECOACH ESTATES SS-123 SIMPLE SUBDIVISION WITHIN THE NE1/4SW1/4, NW1/4SE1/4, NE1/4SE1/4, AND THE SE1/4SE1/4 OF SECTION 22, T. 57N., R. 102 W., 6TH P.M., PARK COUNTY, WYOMING.** Commissioner Brewer was absent. Motion carried.

### **Alltel J-Bar-9 Special Use Permit**

Chairman Hall opened a public hearing at 1:57 p.m. to consider an application by Alltel Communications on property owned by J Bar 9 Ranch, Inc. for a Special Use Permit to allow a "major utility use" for a 100-foot tall communications tower and a 230 square foot unmanned wireless telecommunications facility on approximately 2,500 square feet (0.57 +/- acres) out of 1061.22 +/- acres. The property is located at 3110 Southfork Road, south of Road 6WX (Southfork Road), south of the Shoshone River. The legal description is a tract of land within the SE1/4NW1/4, Section 4, T. 49 N., R. 105 W., 6<sup>th</sup> P.M., Park County, Wyoming. The property lies within a GR-40 zoning district.

Laura Powell appeared on behalf of Alltel Communications, stating the intent in the future is to construct a 12' x 24' equipment building which will be fenced to protect it from damage by cattle. They will also plant trees to buffer the visual impact in the area and paint the building to match the surroundings.

Commissioner Shockley Siggins made a motion, seconded by French, to close the public hearing at 2:07 p.m. Commissioner Brewer was absent. Motion carried.

Commissioner Fontaine made a motion, seconded by Shockley Siggins, to approve **RESOLUTION 2007-11, APPROVAL OF A SPECIAL USE PERMIT TO ALLOW A MAJOR UTILITY USE FOR A 100 FOOT TALL COMMUNICATIONS TOWER AND A 230 FOOT UNMANNED WIRELESS TELECOMMUNICATIONS FACILITY WITHIN THE SE1/4NW1/4, SECTION 4, T. 49 N., R. 105 W., 6<sup>TH</sup> P.M., PARK COUNTY, WYOMING.** Commissioner Brewer was absent. Motion carried.

### **Bear Wise Update**

Mark Bruscano and Dana Courtney of the Wyoming Game and Fish provided an update on a bear safety education program called Bear Watch. Bruscano also updated the Board on grizzly bear delisting, stating the draft rule process occurred in 2006 through the U.S. Fish and Wildlife Service. The final draft rule was formulated and sent to the national office in January of this year. Final delisting rules are expected in April, placing grizzly bear control under the state of Wyoming. Dana Courtney presented work completed under the Bear Wise program, which began in the Wapiti area aimed at minimizing human-bear contacts. No action was taken.

### **Yellowstone Park Winter Use Update**

Commissioner French reported on his trip to Washington DC last week to discuss Yellowstone National Park winter use with National Park Service representatives and the Wyoming congressional group. An idea presented to those in Washington and to YNP Superintendent Suzanne Lewis was assigning a number to the matter as a means to monitor the issue, instead of closing the Park, while the Park Services seeks means to minimize their concerns. French stated he outlined for those in Washington, DC the history of the East Entrance, the concern over the requirement for guided trips and the impact the closure has had and will have on Northfork businesses and Park County.

French stated they discussed the costs associated with avalanche control and Sylvan Pass safety. While in Washington French met with Congresswoman Barbara Cubin, Senator Thomas and Senator Enzi as well as National Park

Service administrators. The congressional delegation stated they would do what they could to assist Park County in this matter. No action was taken.

**Shut Out of Yellowstone Forum**

Carol Armstrong informed the Board that the date for the Shut Out of Yellowstone forum being organized by the Park County Republican Women had changed to March 20, 2007 from 7:00 – 9:00 p.m. Ann Simpson outlined the issues the group intends to focus on, primarily that of closure creating an access restriction and the basis of the Park being established to provide access for everyone. No action was taken.

**Park County Predator Animal Control Board**

Tod Stutzman, Board Chairman of the Park County Predator Advisory Board, and Rod Krischke, USDA State Director of Wildlife Services reported on the predator control status in Park County. Stutzman stated the group would be seeking \$22,000 for continuation of the predator control program in Park County in the coming budget.

Predator Board member Allen Hogg informed the Board of funds available from the State of Wyoming that would have required the Park County Board to increase fees per head sold on livestock from \$0.40 to \$1.00/head. He stated the Board did not support an increase of that size and instead raised the rate from \$0.40 to \$0.60 to generate revenue separate from the state funding.

Rod Krischke reviewed a report presented to the Board providing predator statistics from 10/1/05–9/30/06. He noted the Board’s primary focus is coyotes, but also noted the increase in damage to livestock by wolves during the reporting timeframe. He reminded the Board that the program’s efforts are aimed at livestock protection. No action was taken. Stutzman asked the Board to consider advertising for and appointing an at-large member to the Board who is not a sheep or cattle producer in Park County.

**Park County Travel Council Interviews**

The Board of County Commissioners conducted interviews to fill one three-year term on the Park County Travel Council. Interviewed were incumbent Ken Gasch of Cody, Kerry Gunther of the Sunlight Basin area and Rick Wilder (by telephone) who owns a home in Cody.

Commissioner Shockley Siggins made a motion, seconded by Fontaine, to reappoint Ken Gasch to serve a three-year term effective March 1, 2007. Motion carried.

**Park County Parks and Recreation Board Interviews**

The Board of County Commissioners conducted interviews to fill one five-year term on the Park County Parks and Recreation Board. Interviewed were Powell area residents Nevin Jacobs and Sara Skalsky.

Commissioner French made a motion, seconded by Brewer, to appoint Nevin Jacobs to serve a five-year term on the Park County Parks and Recreation Board, effective immediately and expiring January 1, 2012. Motion carried.

**Bonds**

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

J. Travis Smith, Lake View Irrigation District.....	\$10,000.00
Jill Shockley Siggins, Park County Commissioner.....	\$10,000.00
David Beer, Park County School District #16.....	\$10,500.00
Jay R. Moody, Park County Travel Council.....	\$50,000.00

**Adjournment**

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

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Bucky Hall, Chairman  
Park County Board of Commissioners

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Bill Brewer, Commissioner

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Marie Fontaine, Commissioner

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Tim French, Commissioner

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Jill Shockley Siggins, Commissioner

Seal:  
Attest:

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Kelly Jensen, County Clerk