

**Park County Board of Commissioners
January 16, 2007**

Proceedings of a regular meeting of the Board of County Commissioners of Park County, Wyoming, held in Cody, Wyoming on Tuesday, January 16, 2007.

Present were Commission Chair Bucky Hall, Commissioners Marie Fontaine, Tim French, Bill Brewer, and Jill Shockley Siggins and County Clerk Kelly Jensen.

Notice to Proceed - Lane 9 West Reconstruction Phase 1

Project Manager Mike Collier presented the Notice to Proceed for the Lane 9 West Reconstruction Phase 1 Project.

Commissioner Fontaine made a motion, seconded by French, to allow Board Chairman Hall to sign the Notice to Proceed for Lane 9 West Reconstruction, Phase 1. Motion carried.

Approve Minutes – January 9, 2007

Commissioner Shockley Siggins made a motion, seconded by Fontaine, to approve the minutes of the January 9, 2007 Commission meeting, as corrected. Motion carried.

Personnel Action Form – County Clerk

Commissioner Shockley Siggins made a motion, seconded by Fontaine to approve the Personnel Action Form for Wardi Reber as First Deputy in the County Clerk's office beginning February 1, 2007 at \$3,442.40 per month. Motion carried.

County Board Appointments and Request to Advertise

Commissioner French made a motion, seconded by Brewer, to approve the advertising schedule presented by Administrative Assistant Peggy Ruble for openings on the Park County Parks and Recreation Board and the Park County Travel Council and to schedule interviews February 13, 2007. Motion carried.

TANF/CPI Quarterly Reports

Administrative Assistant Peggy Ruble provided detailed and summary reports from all entities receiving funds under the Temporary Assistant for Needy Families (TANF) program. Ruble reported that all entities had submitted the required reports for October through December 2006, which constitutes the federal first quarter.

Commissioner French made a motion, seconded by Brewer, to approve the reports, authorize Chairman Hall to sign and to submit the first federal quarter TANF/CPI report to the State of Wyoming. Motion carried.

Winter Use Letters

Commissioner Shockley Siggins outlined information contained in draft letters regarding the Yellowstone National Park East Entrance Winter Use preferred alternative from the National Park Service. Shockley Siggins suggested sending letters to the Secretary of the Interior, Committee members, all congressmen involved in the decision-making process and local cities and towns and regional counties. She recommended asking other government entities to submit similar letters on behalf of their own agencies. She also suggested the Board of County Commissioners ask members of the public to launch a letter writing campaign opposing any closure of the East Entrance and coordinating efforts to contact news agencies regarding this issue.

Commissioner French made a motion, seconded by Brewer, to approve the draft winter use letters presented by Commissioner Shockley Siggins and to send letters to the entities discussed. Motion carried.

Transfer Funds from Reserve Fund to Library Budget

Commissioner Fontaine made a motion, seconded by French, for the Board of County Commissioners to advertise budget transfers and to work with the County Clerk and County Treasurer to set up a budget and transfer funds after advertising for the Park County Library Construction Project. The motion was amended to include advertisement of a budget transfer for Wyoming Homeland Security funds for the Park County Sheriff in the amount of \$32,880.00. Motion carried.

Mark Gordon Comment Letter

The Board of County Commissioners reviewed a draft of a letter to Mark Gordon, Chairman, Environmental Quality Council (EQC) concerning the Powder River

Basin Resource Council (PRBRC) Petition to Amend Wyoming Water Quality Rule Chapter, Appendix X relating to oil and gas producing wells and the impact on producers and agricultural businesses if they are forced to improve water quality to levels recommended by the Department of Environmental Quality (DEQ). Deb Thomas of the Clark Resource Council/PRBRC asked the Commissioners to consider both sides of the issue prior to submitting a letter opposing the rule making.

Commissioner French made a motion, seconded by Fontaine, to approve the letter as drafted and submit it to Mark Gordon, Chairman, EQC. Motion carried.

Bid Opening – Crandall Transfer Station

Solid Waste Superintendent Dave Hoffert publicly opened and read aloud the two bids received for the Crandall Transfer Station. Bids received were from Keele Sanitation, Cody, at a monthly container rate of \$75.00 and a cost per trip of \$345.00; and from Two Tough Guys Sanitation, Cody, at a monthly container cost of \$56.00 and a cost per trip of \$325.00. The Board directed Hoffert to prepare a contract for service and bring approval of the contract back to the Board after further review of the two bids. No action was taken.

Agenda Amendment

Commissioner French made a motion, seconded by Brewer, to amend the agenda to appoint an agent to act on Park County's behalf in an application to the Wyoming State Engineer for water rights for the septic lagoon. Motion carried.

Water Right Application

Deputy County Attorney Jim Davis outlined the County's position in an application to the State Engineer for water rights at the septic lagoon on Park County property. He asked that the Board appoint a representative to act as agent on behalf of the County in this matter.

Commissioner Fontaine made a motion, seconded by Shockley Siggins, to appoint Solid Waste Superintendent Dave Hoffert as the agent to act on behalf of Park County in an application to the Wyoming State Engineer for water rights at the septic lagoon. Motion carried.

Kovach Special Use Permit update

Assistant County Planner Nikki Burnett provided an update, with photographs, of progress since the January 9, 2007 County Commission meeting when Tom and Marilee Kovach were found to be in violation of a Special Use Permit for a salvage yard in the Powell area. Burnett stated that as of the current date all items have been removed from the rights-of-way addressed at the January 9, 2007 hearing (Washington Drive, Road 8 and the irrigation canal). Burnett stated the Kovach property is no longer in violation of the Special Use Permit for a salvage yard. She stated some vehicles had been stacked on the property and moved to other locations.

Commissioner Shockley Siggins expressed concern that although the issue with the rights-of-way had been addressed, the Kovaches had violated other County regulations relating to the stacking of vehicles and storing vehicles on property not permitted for that use. As a result of these actions she stated she opposed the Special Use Permit because there were continued violations and actions taken against the direction given by the Board at the January 9, 2007 public hearing.

Commissioner Shockley Siggins made a motion that the Board deny and revoke the Kovach Special Use Permit to operate a salvage yard and to turn the matter over to the Park County Attorney's office for appropriate action because of the manner in which the Kovaches moved vehicles to new locations in the County. The motion died for lack of a second.

Commissioner French made a motion, seconded by Brewer, that the Kovaches are no longer in violation of the rights-of-way issues addressed at the January 9, 2007 Commission meeting. Voting in favor of the motion were Commissioners Fontaine, Brewer and French. Opposed was Commissioner Shockley Siggins. Motion carried.

Public Hearing – Liberty Major Subdivision Special Use Permit

Chairman Hall opened a public hearing at 12:10 p.m. to consider a Special Use Permit for the Liberty Major Subdivision.

Applicant Dusty Schutzman of 7 Wonders, LLC presented a request for a Special Use Permit to allow a major subdivision of 98.94 +/- acres with 39 single family residential lots ranging from 2 to 3.85 +/- acres per lot. The land is located in a Rural Residential zoning district requiring 2-acre minimum lot size. The property is located north of Highway 14-16-20 (Greybull Highway), east of Cody and west of Sage Creek.

Schutzman and Jeremy Easum of Sage Engineering stated the driveway crossings would be constructed of corrosion resistant materials, while roadway crossings will be constructed of concrete. There will be no open ditch irrigation delivery as all irrigation will be by buried pipes to each lot. Storm water run-off, however, will be through an open ditch.

County Planner Linda Gillett and Assistant Planner Nikki Burnett addressed questions from the Commissioners relating to the application and the County’s subdivision regulations.

Commissioner French made a motion, seconded by Brewer, to close the public hearing at 12:32 p.m. Motion carried.

RESOLUTION 2007-02

APPROVAL OF A SPECIAL USE PERMIT FOR THE LIBERTY MAJOR SUBDIVISION, LOCATED WITHIN LOT 57, RESURVEY, T. 52 N., R.101 W., 6TH P.M., PARK COUNTY, WYOMING.

Commission French made a motion, seconded by Fontaine, to approve Special Use Permit Resolution 2007-02 as revised. Motion carried.

Bonds

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

Larry F. Rankin, Park County Fire District #3.....	\$10,000.00
Patrick B. Slater, Park County Parks and Recreation Board.....	\$ 1,000.00
Scott A. Steward, Park County Sheriff.....	\$ 4,000.00

Adjournment

There being no further business to come before the Board of County Commissioners, Commissioner French made a motion, seconded by Fontaine, to adjourn the meeting at 1:03 p.m. until the next regular meeting to be held February 6, 2007. 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