

Park County Board of Commissioners
January 9, 2007

Proceedings of a regular meeting of the Board of County Commissioners of Park County, Wyoming, held in Cody, Wyoming on Tuesday, January 9, 2007.

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

Library Project Financing Update

First Company Representatives Dave Reetz and Ty Nelson provided an update on procedures for financing the Park County Library construction project. First Company outlined the revenue projections, expenditure procedures and the assistance they will provide throughout the project. No action was taken.

Draft Letter for Winter Use

Board of County Commission members Jill Shockley Siggins and Marie Fontaine agreed to work with Administrative Assistant Peggy Ruble to draft a letter relating to the Yellowstone National Park Winter Use Pre-Draft Environmental Impact Statement. The letter will be brought before the full board at its January 16, 2007 meeting and once approved, sent to the Wyoming Congressional Delegation and the State Legislators. No action was taken.

Agenda Amendment

Commissioner Fontaine made a motion, seconded by Shockley Siggins, to amend the agenda to include the following items. Motion carried.

- A Solid Waste Personnel Action Form and request to advertise for and fill the position of Solid Waste Operator.
- A request from Solid Waste for out-of-state travel for training in Billings, Montana.
- A Personnel Action Form for Small Wastewater Administrator.
- A request from the County Engineer to fill an open position, modify the job description and advertise.

Personnel Action Form - Homeland Security

Homeland Security Coordinator Alex Gisoldi presented a Personnel Action Form Separation Notice for himself, with retirement effective 1/12/07. Gisoldi also presented a Personnel Action Form to hire George Menig at a salary of \$36,649.56 as the Park County Homeland Security Coordinator effective 1/13/07, pending approval from Governor Freudenthal.

Commissioner French made a motion, seconded by Brewer, to accept the two Personnel Action Forms as presented. Motion carried.

Consent to Change of Place of Use - Barrusville Subdivisions

Deputy County Attorney James Davis outlined a request on the Barrusville Subdivision, approved by the Board August 25, 1992, to change the place of use for the water rights in two easements within the subdivision. The Wyoming State Engineer's office has asked the Board of County Commissioners to consent to the change of location by diverting the water rights.

Commissioner French made a motion, seconded by Fontaine, to approve the consent to change of place of use by diverting the water rights in the Barrusville Subdivision and to authorize Board Chairman Hall to sign the Consent to Change of Use. Motion carried.

Establish Bond for Cost of Proceedings

Deputy County Attorney James Davis presented a request to the Board to establish a cash bond for the Justice Private Road Contested Case Hearing.

Commissioner French made a motion, seconded by Brewer, to establish a \$3500.00 cash bond for the cost of proceedings for the Justice Private Road Petition Contested Case Hearing and to authorize Board Chairman Hall to sign the order establishing the bond, as presented by the Park County Attorney's office. Motion carried.

Budget Amendment - Homeland Security Grant

Park County Sheriff Scott Steward presented a request to set a public hearing to amend the budget to include a Homeland Security Law Enforcement grant in the amount of \$32,880.00. Following discussion it was determined the request would be combined with other budget amendment requests at a later date. No action was taken.

Park County Complex Leases

Park County Building and Grounds Supervisor Mike Vowell presented four leases at the Park County Complex as described herein.

Bagne-Quade Media Services, leasing 135 square feet at \$8.00/square foot for five months from February 1, 2007 through June 30, 2007 at \$90.00 per month or \$450.00 total.

Susan Nannenga, leasing 130 square feet at \$9.00/square foot for five months from February 1, 2007 through June 30, 2007 at \$97.00 per month or \$488.00 total.

Trudell Geophysical Consulting, leasing 135 square feet at \$12.00/ square foot for twelve months from February 1, 2007 through January 31, 2008 at \$135.00 per month or \$1620.00 total.

Herrod Geoscience Consulting, LLC leasing 196 square feet at \$12.00/ square foot and 120 square feet at \$10.00/square foot for thirteen months from January 1, 2007 through January 31, 2008 at \$296.00 per month or \$3848.00 total.

Commissioner Fontaine made a motion, seconded by French, to approve the four leases as presented. Motion carried.

Personnel Action Form - County Planning

Commissioner French made a motion, seconded by Brewer, to approve a Personnel Action Form presented by County Planner Linda Gillett for Eugene Smith as the Small Wastewater Administrator at a rate of \$2750.00 per month, at a Grade 7, beginning January 15, 2007. Motion carried.

Personnel Action Form - Solid Waste

Commission Shockley Siggins made a motion, seconded by French, to approve the Personnel Action Form presented by Solid Waste Superintendent Dave Hoffert for Carli Mingus as an On-Call Landfill Gate Attendant working 30 or fewer hours per week at \$10.28/hour, beginning January 10, 1007. Motion carried.

Request for Out-of-State Travel

Commissioner Brewer made a motion, seconded by French, to authorize a request for out-of-state travel from Solid Waste Superintendent Dave Hoffert for the Solid Waste Secretary to attend training in Billings, Montana January 17-18, 2007. Motion carried.

Road Vacation - Archer Daniels Midland

Commissioner Fontaine made a motion, seconded by French, to authorize the Public Works Department to advertise the public hearing for the Archer Daniels Midland (ADM) road vacation petition for three weeks in the *Powell Tribune* beginning January 16, 2007, as presented by Project Manager Mike Collier. Motion carried.

Lane 9 West Reconstruction Phase 1 Project

Commissioner Fontaine made a motion, seconded by French, to authorize Board Chairman Hall to sign and County Clerk Jensen to attest the Lane 9 West Reconstruction Phase 1 Project documents presented by Project Manager Mike Collier. Motion carried.

Clark's Fork River Bridge

Commissioner French made a motion, seconded by Brewer, to approve and authorize the Board members to sign the Wyoming Department of Transportation Acceptance Certificate for the Clark's Fork River Bridge project as presented by Project Manager Mike Collier. Motion carried.

Change of Per Diem, Policy Manual

Commissioner French made a motion, seconded by Fontaine, to increase the maximum allowance per day for County employees from \$100 to \$150 as outlined in Section 6.12 Travel Expenses-Lodging and Meals in the County Personnel Policy Manual. Motion carried.

Job Description - Elections Deputy

Commissioner Shockley Siggins made a motion, seconded by Brewer, to approve the job description and to advertise the position of Election Deputy as presented by County Clerk Kelly Jensen. Motion carried.

Approval of Minutes

Commissioner Fontaine made a motion, seconded by French, to approve the minutes of the Board of County Commissioners Special Meeting on December 29, 2006 as presented. Motion carried.

Commissioner Shockley Siggins made a motion, seconded by Fontaine, to approve the minutes of the Board of County Commissioners Regular Meeting held on January 2, 2007 as presented. Motion carried.

Public Hearing - Tom and Marilee Kovach

Commission Chair Bucky Hall opened a public hearing at 1:35 p.m. to consider a Notice of Violation of a Special Use Permit for a salvage yard for Revocation of Board Approvals on property owned by Tom and Marilee Kovach.

Assistant Planner Nikki Burnett and Deputy County Attorney James Davis presented the basis for the Notice of Violation for the Special Use Permit for a salvage yard located east of Powell, east of Road 8, south of Lane 9. The legal description is Lots 2 and 3 of Powell Industrial Park, T.55N., R.99W., 6th P.M., Park County, Wyoming. Burnett stated the owners and neighboring property owners were notified December 15, 2006 of the violation of the Special Use Permit and the date and time of this hearing. The violations outlined in the notice were specific to vehicles and materials in the rights-of-way of Washington Drive, Road 8 and the Irrigation Canal.

Public comments were heard from Tom Kovach, Marilee Kovach, neighboring property owner Joe Porter, former Kovach property owner Martha Christianson, Park County Commission members, Assistant Planner Burnett, Project Manager Mike Collier and Deputy Attorney Davis. There being no further comments to come before the Board in the matter, Commissioner French made a motion seconded by Fontaine to close the public hearing at 2:46 p.m. Motion carried.

Commissioner French made a motion, seconded by Fontaine, that the information presented during the public hearing provided evidence that Tom and Marilee Kovach are in violation of their Special Use Permit under Section 5-125. Motion carried.

Commissioner French made a motion, seconded by Fontaine, to allow one week for Tom and Marilee Kovach to correct the violations addressed in the public hearing and remove all vehicles from the rights-of-way of Washington Drive, Road 8 and the Irrigation Canal and to abide by the requirements of the Special Use Permit. Motion carried.

Position Modification and Advertisement - Public Works

Commissioner Shockley Siggins made a motion, seconded by Fontaine, to modify the job description for Traffic Control

Technician II as presented by County Engineer Dave Kieper.
Motion carried.

Commissioner Brewer made a motion, seconded by Fontaine, to authorize the County Engineer to advertise for the position of Traffic Control Technician II for two weeks in the *Cody Enterprise, Powell Tribune* and with Job Service. Motion carried.

Bonds

The following bonds, having been approved by County Attorney

Bryan Skoric, were approved by the Board of County Commissioners:

Nena Graham-Burke, County Treasurer.....	\$25,000.00
Kelly Jensen, Park County Clerk.....	\$ 4,000.00
Patrick Meyer, Deputy Assessor.....	\$ 2,000.00
Marie Fontaine, County Commissioner.....	\$10,000.00
Joe Bill Brewer, County Commissioner.....	\$ 1,000.00
Dossie Overfield, Park County School District 6.....	\$10,000.00
Stefanie Bell, Park County School District 6.....	\$25,000.00
Marjorie White, Willwood Irrigation District.....	\$30,000.00
Koleen Sponsel, Big Horn District #1 Recreation.....	\$ 5,000.00
Jennifer Rosencranse, Cody City Clerk/Treasurer....	\$20,000.00

Earnings and Collections

Earnings and collections from the following County Officials were presented to the Board and approved:

Karen Carter, County Clerk, Fees for December, 2006.....	\$26,404.25
Joyce Boyer, Dist. Court Clerk, Fees for Dec., 2006.....	\$ 6,927.32
Scott Steward, County Sheriff, Fees for Dec., 2006.....	\$ 8,148.09

Adjournment

There being no further business to come before the Board of County Commissioners, Commissioner Fontaine made a motion, seconded by Shockley Siggins, to adjourn the meeting at 3:32 p.m. until the next regular meeting to be held January 16, 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