

**Park County Board of Commissioners
July 10, 2007
Regular Meeting**

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

Medical Services Contract Renewal

Commissioner Siggins made a motion, seconded by Fontaine, to approve the Agreement for Medical Services for Park County Detention Center with Dr. George H.J. Albrecht, DNP/FNP-BC at a rate of \$4,583.34 per month for a minimum of twelve hours per week for the term July 15, 2007 – June 30, 2008 and allow the chair to sign. Motion carried.

Public Hearing – Rice-Kilroy Construction SUP

Commission Chairman Hall opened a public hearing for Rice-Kilroy Construction Company, Inc. on property owned by Tye and Tammi Henderson to amend Resolution 2007-09 that allowed a large rock products mine and construction staging area on 20+/- acres. The property is located south of Lane 9 and west of Road 14, legal description N1/2 of Lot 88A, T55N, R100W, 6th P.M., Park County, Wyoming, in the GR-P zoning district.

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

Commissioner French made a motion, seconded by Fontaine to approve **RESOLUTION 2007-47, AMENDMENT OF SPECIAL USE PERMIT RESOLUTION NO. 2007-09 (RECORDED DOCUMENT 2007-945) TO CONDITION OF APPROVAL #4 WITHIN THE N1/2 OF LOT 88A, T55N, R100W, 6TH P.M., PARK COUNTY, WYOMING** and adding language allowing completion of the current phase of the Lane 9W reconstruction project, Phase 1, including borrow site reclamation. Motion carried.

Amend Agenda

Commissioner Siggins made a motion, seconded by French, to amend the agenda to accept the notification of a merger of two oil companies. Motion carried.

Merger Notification

Commissioner Brewer made a motion, seconded by Fontaine, to authorize Chairman Hall to sign the notification of merger and change of control of Pacific Energy GCLP to Plains All American Pipeline, LP and change of contact person. Motion carried.

Approve Minutes

Commissioner Fontaine made a motion, seconded by Siggins, to approve the minutes of the July 3, 2007 regular meeting of the County Commissioners. Motion carried.

Separate Dispensing Room Permit

Commissioner Brewer made a motion, seconded by Fontaine, to approve a 24-hour Separate Dispensing Room Permit for Top of the World Store July 21, 2007 for the Iron Horse Poker Run. Voting in favor of the motion were Commissioners Fontaine, Brewer and French. Opposed was Commissioner Siggins, stating safety concerns with a liquor license and separate dispensing room at this location. Motion carried.

Resignation Letter – Homeland Security

Commissioner Brewer made a motion, seconded by Fontaine, to accept the resignation letter of Homeland Security Coordinator George Menig and advertise to fill the position, with applications due July 31, 2007. Motion carried.

Museum Board Vacancy

Commissioner Siggins made a motion, seconded by Fontaine, to advertise an open Meeteetse area term on the Park County Museum Board, contingent upon the Park County Museum Board changing their by-laws to allow the Park County Commissioners to appoint a member-at-large in the event there are no applicants from the related school district. Motion carried.

Marathon Oil Company Rebate

Commissioner Fontaine made a motion, seconded by Siggins, to approve a \$119,529.00 2005 tax rebate due to Marathon Oil Company, paying it over five years at \$23,905.80 per year, as recommended by Park County Treasurer Nena Graham-Burke. Motion carried.

TCT West Lease

Commissioner Siggins made a motion, seconded by Brewer, to approve the five-year lease with TCT West, Inc. to be a tenant at the Cedar Mountain Site as a Wireless Internet Service Provider, allowing TCT West, Inc. to install an antenna system and radio communications equipment and Lessee shall annually pay an amount equal to that prescribed by the most current BLM rate schedule applicable to Lessee's communication services, plus a 10% (ten percent) administrative fee for a five-year term beginning July 10, 2007 through July 9, 2012 and allow Chairman Hall to sign the lease. Motion carried.

Out-of-State Travel

Commissioner Siggins made a motion, seconded by Fontaine, to authorize Deputy Clerk of District Court Patra Lindenthal to attend a software training conference in Orlando, Florida September 16-21, 2007, with the registration fees paid by Tiberon Software and the Clerk of District Court budget paying travel and other related expenses. Motion carried.

Fire Restrictions

Commissioner Fontaine made a motion, seconded by Siggins, to approve RESOLUTION 2007-48, PARTIAL CLOSURE TO USE; ESTABLISHING FIRE RESTRICTIONS FOR PARK COUNTY, effective July 10, 2007 at 11:30 a.m. Motion carried.

Landfill Disposal Service Agreement

Commissioner Siggins made a motion, seconded by Brewer, to approve and allow Chairman Hall to sign the three-year Disposal Service Agreement with the City of Powell for disposal services for a fee of \$310,200.00 per year, based upon a fee of \$60.00 per ton, effective immediately. Motion carried.

Draft Public Participation Plan

Commissioners reviewed the Wyoming Department of Environmental Quality (WDEQ) Public Participation Plan for the Windsor Energy Group, LLC, Crosby Well 25-3 Blowout in Clark, Wyoming. The WDEQ will hold a public meeting in Clark to discuss the draft Public Participation Plan July 10, 2007. Commissioners generally stated the current plan meets their concerns. No action was taken.

Library Board Interview

Following an interview, Commissioner Siggins made a motion, seconded by Fontaine, to appoint Anna Sapp to complete an unexpired Powell area term on the Park County Library Board through July 1, 2009. Motion carried.

Amended Plat – Higgins-Tipton Subdivision

Commission Chairman Hall opened a public hearing to consider the application of Crandall Properties, LLC for an Amended Plat for the Higgins-Tipton Subdivision on land described as Lots 177-11A, Lot 177-11B, Lots 177-13 through 177-18, Lot 177-21, and Lots 177-23 through 177-31 of the Higgins-Tipton Subdivision, located in Homestead Entry Survey (H.E.S.) No. 177, T56N, R106W, 6th P.M., Park County, Wyoming. The property is located along Highway 296 in the Crandall community. Upon hearing comments from the developers' representative, nine area landowners and the County Planning staff and there being no further comments, Commissioner French made a motion, seconded by Siggins, to close the public hearing. Motion carried.

Commissioner French made a motion, seconded by Fontaine, to approve the Amended Plat as presented, adding note #6 that ingress and egress access shall be unimpeded. Motion carried.

Special Use Permit – Larry Luckinbill

Commission Chairman Hall opened a public hearing to consider the application of Larry Luckinbill for a Special Use Permit to allow a 3840 square foot workshop and airplane hangar. The property is located west of Road XVW, south of Highway 296. The legal description is a parcel of land located within H.E.S. #180, Sections 10 and 15, T56N,

R106W, 6th P.M., Park County, Wyoming, in the GR-5(General Rural 5-Acre) zoning district.

Upon receiving comments from the County Planning staff and there being no further comments, Commissioner Brewer made a motion, seconded by Fontaine, to close the public hearing. Motion carried.

Commissioner Siggins made a motion, seconded by French, to approve RESOLUTION 2007-49, APPROVAL OF A SPECIAL USE PERMIT TO ALLOW AN AIRPLANE HANGER WITH PRIVATE WORKSHOP AND STORAGE WITHIN H.E.S. #180, SECTIONS 10 AND 15, T56N, R106W, 6TH P.M., PARK COUNTY, WYOMING and to remove restrictions on the hours of operation recommended by the Planning and Zoning Commission. Motion carried.

Public Hearing – Fry Special Use Permit

Commission Chairman Hall opened a public hearing to consider the application of Christopher Fry, on property owned by John and Minnie Cozzens, for a Special Use Permit and Site Plan Review to allow a large rock products mine on approximately 6-10 +/- acres of a 129.26 +/- acre parcel (previously approved for a Special Use Permit for a small rock products mine). The property is located at 1368 Lane 11, east of Ralston. The legal description is a parcel of land located within Lot 9 of Section 25, T55N, R100W, 6th P.M., Park County, Wyoming., in the GR-P (General Rural Powell) zoning district.

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

Commissioner French made a motion, seconded by Fontaine, to approve RESOLUTION 2007-50, APPROVAL OF A SPECIAL USE PERMIT AND SITE PLAN REVIEW TO ALLOW A LARGE ROCK PRODUCTS MINE WITHIN LOT 9 OF SECTION 25, T55N, R100W, 6TH P.M., PARK COUNTY, WYOMING. Motion carried.

Library Fundraising Project – Gathering of the Grizzlies

Park County Library Board Vice Chair Pat Stuart presented a Library Board fundraising project underway called a Gathering of the Grizzlies. Local sculptor Jeff Rudolph is creating a 5’ grizzly that will manufactured into fiberglass grizzlies to be used as a street art project. Artisans will create 25-35 large (5’) and multiple small (9”) fiberglass bears that will be sold at auction. Funds raised will be primarily targeted toward the teen and children’s section of the new Library. The auction is expected to take place in August of 2008. The net projected income is \$137,760.00. No action was taken.

Bonds

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

Rhonda Savage, Board of Cooperative Education Services.....\$25,000.00

Earnings and Collections

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

Kelly Jensen, Park County Clerk.....\$32,688.88
Scott Steward, Park County Sheriff.....\$13,977.37
Joyce Boyer, Clerk of District Court.....\$ 6,532.30

Adjournment

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

Bucky Hall, Chairman
Park County Board of Commissioners

Tim A. French, Vice Chairman

Marie Fontaine, Commissioner

Bill Brewer, Commissioner

Kelly Jensen, County Clerk

Jill Shockley Siggins, Commissioner