

**Park County Board of Commissioners
March 20, 2007
Regular Meeting**

Proceedings of a regular meeting of the Board of County Commissioners of Park County, Wyoming, held in Cody, Wyoming on Tuesday, March 20, 2007. Present were Commission Chair Bucky Hall, Commissioners Marie Fontaine, Tim French, Bill Brewer and Jill Shockley Siggins and County Clerk Kelly Jensen.

Park County Library Construction Project Financing

First Company representative Ty Nelson presented a revenue projection for the Special Purpose Excise Tax for the Park County Library Construction Project. The most recent projections were based on construction starting in December 2007. First Company anticipates a small excess at the end of the tax of approximately \$20,000. Project planning will proceed when a Construction Manager At Risk has been selected.

Commissioner Fontaine made a motion, seconded by French, to approve the first reimbursement request to the State Loan and Investment Board for the Library project in the amount of \$476,654.09, representing 30% of the Library portion of the Park County Complex building purchase and costs of the schematic design. Motion carried.

Approval of Minutes

Commissioner Fontaine made a motion, seconded by Brewer, to approve the minutes, as corrected, from the regular meetings of the Board of County Commissioners on March 6, 2007 and March 13, 2007. Motion carried.

Personnel Action Forms – Sheriff’s Department

Commissioner French made a motion, seconded by Fontaine, to approve two Personnel Action Forms presented by Lieutenant Rick Atwood, Jail Administrator to hire new employee Melissa Ann May as a Detention Deputy I starting March 22, 2007 and to move existing employee Lynn Marascio from a Detention Deputy I to Detention Deputy II, effective April 1, 2007. Motion carried.

Position Vacancy – Sheriff’s Department

Commissioner French made a motion, seconded by Brewer, to authorize Sheriff Steward to seek applicants to fill a Patrol Deputy position that will be vacant March 20, 2007. Motion carried.

Job Description Approval – Buildings and Grounds

Mike Vowell, Superintendent of Buildings and Grounds, presented a proposal to create a Maintenance Technician III position. If authorized by the Board, the job description, position and wage will be presented to the County’s wage committee for placement in the wage scale. No action was taken. The Board will consider the proposal at its next regular meeting.

Interagency Cooperative Fire Management Agreement

Fire Marshal Russ Wenke presented the Interagency Cooperative Fire Management Agreement with the Wyoming State Forestry Division. County Attorney Bryan Skoric recommended striking the phrase, *but not limited to* from the signature page of the agreement. Skoric explained that in Park County fire districts provide service to the entire County; so all four fire districts in the County provide coverage for the entire county.

Commissioner Fontaine made a motion, seconded by Shockley Siggins, to approve the Interagency Cooperative Fire Management Agreement with the Wyoming State Forestry Division, to strike the phrase *but not limited to* and authorize the Chairman to sign the agreement. Motion carried.

Transferring Funds

Commissioner Fontaine made a motion, seconded by Shockley Siggins, to approve and sign a letter to Park County Treasurer Nena Graham-Burke approving the transfer of funds authorized at the March 6, 2007 County Commission meeting. Motion carried.

Request to Waive Fees

Commissioner Fontaine made a motion, seconded by French, to authorize the Chairman to sign a letter asking the City of Cody to waive finance charges and fees in the amount of \$149.83 for a utility bill at the new Law Enforcement Center. Motion carried.

Amend agenda

Commissioner Fontaine made a motion, seconded by Shockley Siggins, to amend the agenda to include a request to purchase software and hardware and an agreement for services at the Crandall Transfer Station. Motion carried.

Purchase Request

County Planner Linda Gillett presented a request to purchase ArcInfo software and hardware and associated licenses specifically developed for planning and two Global Positioning Systems (GPS) at a total estimated cost of \$28,100.

Commissioner Shockley Siggins made a motion, seconded by Fontaine, to purchase software and hardware as presented, using funds from an open GIS Coordinator position, setting the maximum expenditure at \$30,000 for software, licenses, a plotter and two GPS systems. Motion carried.

Crandall Transfer Station

Commissioner Brewer made a motion, seconded by Shockley Siggins, to allow Solid Waste Superintendent Dave Hoffert to sign a three-year contract, effective April 1, 2007, with Two Tough Guys (the low bidder) for solid waste roll-out services at the Crandall Transfer Station. Motion carried.

Shockley Siggins Attendance at DEQ BLM landfill meeting

Commissioner Shockley Siggins was absent from the early afternoon portion of the meeting to attend a meeting with the Department of Environmental Quality and the Bureau of Land Management regarding the Park County Landfill. She returned to attend the executive session.

Appeal – Park County Development Standards and Regulations

County Planner Linda Gillett and Deputy County Attorney Jim Davis provided information on a request by Ronald and Carolyn Williams for a family exemption to split a parcel of land. Gillett would not sign the application and Mr. and Mrs. Williams are appealing her decision. Attorney M. Jalie Meinecke, representing the Williams's, presented the basis for the appeal, stating her clients were encouraged by former Park County Planners to file for the family exemption. She further stated the current County Planner does not have sufficient basis to decline the exemption, which proposes splitting ownership of the land between Mr. and Mrs. Williams so the deeds accompanying the two parcels show separate ownership. Meinecke stated the land originally had a home on each of the two parcels of land and was purchased from a bank as two home sites. Williams informed the Board he purchased the land as one parcel. Meinecke outlined Wyoming Statute 18-5-303, which she stated requires the Board to consider and approve the application because it meets the statutory requirements.

Gillett informed the Board she is not opposed to the land split, but has concerns about the use of the family exemption in this situation as it allows married couples to split land no matter what the long-term intended purpose or use of the land might be.

Mr. Williams stated he and his wife intend to reside on the smaller parcel of land while he completes construction of a house on the larger parcel. Construction will take at least one to two years. When complete, they will reside in the larger house and may rent the house on the smaller parcel. Mr. Williams has signed an affidavit stating he intends to use the property as required by State Statute.

Commissioner Fontaine made a motion, seconded by French, to table a decision on the appeal until 10:30 a.m. April 10, 2007, pending additional information from the County Attorney regarding the family exemption. Motion carried. Commissioner Shockley Siggins was not present.

Public Hearing – Heart 2 Heart Major Subdivision

Commission Chairman Hall opened a public hearing to consider the application of Thomas Lewis for a Special Use Permit to allow a Major Subdivision in the RR-2 (Rural Residential 2-acre) zoning district, dividing 25.05+/- acres into 3 (three) single-family residential lots of 14.45+/- acres for Lot 1, 5.19+/- acres for Lot 2, and 5.41+/- acres for Lot 3 on land described as Lot 2 of the Lorash Subdivision, T.53N., R.101W., 6th P.M., Park County, Wyoming. The land is located at 483 Road 2AB, west of Road 2AB, north of Cody, Wyoming. Roy Holm of Holm, Blough and Co. stated easements, irrigation and drainage plans will be presented through the subdivision process for Major Subdivisions.

There being no further comments, Commissioner Fontaine made a motion, seconded by Brewer, to close the public hearing. Motion carried.

Commissioner Fontaine made a motion, seconded by French, to approve **RESOLUTION 2007-18, APPROVAL OF A SPECIAL USE PERMIT FOR THE HEART 2 HEART MAJOR SUBDIVISION, LOCATED WITHIN LOT 2 OF THE LORASH SUBDIVISION, T.53N., R.101W., 6TH P.M., PARK COUNTY, WYOMING,** including the eleven conditions recommended by Planning and Zoning. Motion carried. Commissioner Shockley Siggins was not present.

Draft Sage-Grouse Conservation Plan Comments

Commissioner Fontaine made a motion, seconded by French, to approve comments presented by Commissioner Shockley Siggins on the Draft Sage-Grouse Conservation Plan and submit them to Kathleen Jachowski, Chair of the Big Horn Basin Local Working Group. Motion carried.

Liquor License and Permit Fees

Commissioner French made a motion, seconded by Fontaine, to set the 2007 liquor license rates and fees in Park County as follows: Retail-\$450; Restaurant-\$625; Limited (Club)-\$400; County Malt Beverage-\$175; Microbrewery Permit-\$400; Winery Permit-\$400; 24-Hour Permits for Catering, Malt Beverages and Additional Dispensing Rooms-\$25 each; and Permanent 2nd Dispensing Room-\$250. Motion carried.

Amend Agenda

Commissioner Fontaine made a motion, seconded by French, to amend the agenda to consider a Malt Beverage Permit for a Cody Youth Baseball fund raising event.

Malt Beverage Permit

Commissioner Fontaine made a motion, seconded by French, to authorize a 24-hour Malt Beverage Permit for Cody Youth Baseball’s fund raising event March 31, 2007 at the Double Doc Ranch on Sunrise Road in Cody. Voting in favor of the motion were Commissioners French and Fontaine and Chairman Hall. Opposed were Commissioners Shockley Siggins and Brewer, expressing concern about the sale of alcohol at a youth event. Motion carried.

Executive Session

Commissioner Shockley Siggins made a motion, seconded by Fontaine, to go into executive session pursuant to Wyoming Statute 16-4-405(a)(ix) to consider or receive confidential information. Motion carried.

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

Bonds

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

Lee Gillett, Shoshone Project Joint Powers Board.....	\$ 5,000.00
R. Dan Hadden, Park County Fair Association.....	\$ 5,000.00
Rick Harrison, Shoshone Irrigation District.....	\$ 1,000.00
Steve Christiansen, Shoshone Irrigation District.....	\$ 1,000.00

Earnings and Collections

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

Kelly Jensen, County Clerk.....	\$23,641.92
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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. Motion carried.

Bucky Hall, Chairman
Park County Board of Commissioners

Tim French, Vice Chairman

Marie Fontaine, Commissioner

Bill Brewer, Commissioner

Jill Shockley Siggins, Commissioner

Attest:

Kelly Jensen, County Clerk