

**Park County Board of Commissioners
March 18, 2008
Regular Meeting**

Proceedings of a regular meeting of the Board of County Commissioners of Park County, Wyoming, held in Cody, Wyoming on Tuesday, March 18, 2008. Present were Chairman Tim French, Commissioners Jill Shockley-Siggins, Bucky Hall and Marie Fontaine, and County Clerk Kelly Jensen. Absent was Commissioner Bill Brewer.

DeMaris Building

Ev Diehl, representing the DeMaris Restoration Fundraising Committee, presented a cost estimate to preserve the DeMaris House, located on the northeast corner of the Courthouse property. The committee estimates the restoration and remodel will cost \$155,912 for materials and labor, exclusive of design drawings, working plans, etc. Diehl requested funding for conceptual drawings and marketing materials to begin a fundraising campaign for the building restoration costs in the amount of \$3000.00

Commissioner Hall made a motion, seconded by Fontaine, to provide \$3,000 to the DeMaris Restoration Fundraising Committee from the former contingency/miscellaneous budget lines. Motion carried.

Swallow Farms – Planning and Zoning Appeal

Commissioner French opened the hearing for an appeal filed by Eric Loloff on behalf of Swallow Farms. They are appealing denial of a request and determination by the Planning Department. The request was that acreages within parcels on the south side of Highway 14-A, once within the main parcels but now separated by properties owned by the Transportation Commission of Wyoming, be counted as acreage to determine subdivision lot and exempt parcel sizes for parcels on the north side of the highway. Parcel 1 is located along Highway 14-A, east of Road 11 with a legal description being land within the SW1/4, Lot 62, Resurvey, T55N, R99W, 6th P.M., Park County, Wyoming. Parcel 2 is located along Highway 14-A, west of Road 11, south of Lane 10 with a legal description being Tract 1, Lot 59, T55N, R99W, 6th P.M., Park County, Wyoming. Both parcels are within the GR-P zoning district.

Upon hearing comments from the County Planning staff and Eric Loloff and Steve Folweiller, representing the applicant, and Deputy County Attorney Jim Davis, and there being no further comments, Commissioner French closed the hearing.

Commissioner Fontaine made a motion, seconded by Siggins, to continue the appeal hearing until the April 8, 2008 Board of County Commissioners meeting. Motion carried.

Appoint Viewer – Road 3IC Petition

Deputy County Attorney Jim Davis presented background information on a petition to establish a county road in the Meeteetse area, identified as County Road 3IC. Davis stated a determination was made by District Court that a viewer must be appointed in the matter. The petitioner has proposed paying up to \$1000 for the services of the viewer.

Commissioner Hall made a motion, seconded by Siggins, to appoint Don Livingston at Mr. Livingston's proposed fee of \$1000 and to adopt **RESOLUTION 2008-20, APPOINTMENT OF VIEWER PURSUANT TO W.S. §24-3-103 REGARDING THE PETITION OF SCOTT AND MARJORY JUSTICE, et al., FOR THE ESTABLISHMENT OF A COUNTY ROAD IN T49N, R100W, 6TH P.M., PARK COUNTY, WYOMING** Motion carried.

Speed Limit Enforcement – Cody Ranchettes Subdivision

Gary Hand presented a request on behalf of Cody Ranchettes Subdivision asking the County to enforce speed limits on publicly dedicated roads in the subdivision. Park County Project Manager Mike Collier informed the Board that the required speed study and installation of speed limit signs has already been completed, setting the speed at 30 mph.

Commissioner Hall made a motion, seconded by Siggins, to adopt **RESOLUTION 2008-15, A RESOLUTION ADOPTING TRAFFIC REGULATIONS ON PUBLICLY DEDICATED SUBDIVISION ROADS.** Motion carried.

Approve Minutes

Commissioner Fontaine made a motion, seconded by Siggins, to approve the minutes of the March 11, 2008 meeting. Motion carried.

Park County Library Project - Park County Archives Window Well –

Buildings and Grounds Superintendent Mike Vowell and Karen Kelly of CTA Architects addressed a request by the Park County Archives to install a window well in the Archives area of the Park County Library project at a cost estimate of \$25,754. Vowell stated the design would allow very limited natural sunlight into the space and to prevent falls into the well a grate would have to be installed over the well. If installed, the window well would require installation of a ladder and a means to lift the grate if it were to be used as an egress location. Commissioners received comments from Park County Museum Board members Robert Smith and Carol Wiltse who supported the window well installation.

Commissioner Hall made a motion to remove the expense for installation of a window well from further consideration in the Park County library project budget. The motion died for lack of a second.

Commissioner Siggins made a motion to add the \$25,754 cost of installation of a window well to the Park County Library project budget. The motion died for lack of a second. The window well will not be installed.

Park County Library Project – Connection to the City of Cody Parking Lot

Mike Vowell and Karen Kelly presented a cost estimate of \$18,454 to pave the northeast portion of the parking lot to the Paul Stock Aquatics and Recreation Center. The cost is minimized if completed at this time while the equipment is mobilized for paving.

Commissioner Hall made a motion, seconded by Siggins, to approve paving the connection between the Park County Library parking lot and the City of Cody's Recreation Center parking lot at a cost of \$18,454. Motion carried.

Flying J Transportation, LLC – Schedule Public Hearing

Deputy County Attorney Jim Davis asked the Board to schedule a public hearing to establish a use control area for Flying J Transportation, LLC on the former Husky Refinery land. Davis stated the restrictions would not allow development for uses such as residential, nursing homes or daycares. The intent of the public hearing is to receive comments on the use control area restrictions and to adopt a resolution requiring Flying J Transportation, LLC to continue working with the Wyoming Department of Environmental Quality on clean-up.

Commissioner Hall made a motion, seconded by Fontaine, to schedule and advertise a public hearing May 13, 2008 at 3:30 p.m. for the purpose of establishing a use control area for Flying J Transportation, LLC on the former Husky Refinery land. Motion carried.

Park County Complex Lease

Commissioner Fontaine made a motion, seconded by Hall, to approve a lease with Gene R. George & Associates, Inc. for Suite 3260 (approximately 288 square feet) at the Park County Complex at \$11/sf/year (\$3168.00 or \$264.00 per month) April 1, 2008- March 31, 2009. Motion carried.

Personnel Action Forms

Commissioner Hall made a motion, seconded by Siggins, to approve personnel action forms for Jessica Barnhart as a 25-hours/week regular part-time custodian and for Malcolm Wintringham and Teri Mennel as provisional custodians to fill in as needed. Motion carried.

Park County Predator Management Advisory Board Liaison

Commissioner Fontaine made a motion, seconded by Siggins, to appoint Commissioner Hall to serve as the liaison to the Park County Predator Management Advisory Board. Motion carried.

Rams Horn Major Subdivision – Appeal and SUP

Chairman French opened the public hearing to consider the application of MS Enterprises for the proposed Rams Horn Major Subdivision for review of an appeal to State Statutes 18-5-106 for the decision of the Planning & Zoning Commission denying a sketch plan for a subdivision of 47.79+/- acres into 9 (nine) single-family residential lots ranging in size from 5.02+/- acres to 6.81+/- acres (gross) and consideration of a Special Use Permit to allow a major subdivision in the GR-P zoning district. The property is located north of Lane 13 1/2, east of Road 19 on land legally described within Lots 23 and 25 of Section 1, T54N, R101W, and Lots 10, 18 and 24 of Section 6, T54N, R100W, 6th P.M., Park County, Wyoming.

County Planning staff presented the Special Use Permit application for the subdivision. Jalie Meinecke and Greg Meinecke of MS Enterprises presented the applicants' subdivision plans and addressed concerns presented by neighbors during the P&Z Commission subdivision review.

Commissioners received comments from ten neighboring landowners who expressed concerns about water quantity, water quality, septic systems, conversion of agricultural land to residential, possible construction styles and adverse impacts on an existing wind turbine.

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

Commissioner Fontaine made a motion, seconded by Hall, to approve **RESOLUTION 2008-16**, APPROVAL OF A SKETCH PLAN FOR THE RAM'S HORN MAJOR SUBDIVISION LOCATED WITHIN LOTS 23 AND 25 OF SECTION 1, T54N, R101W, AND LOTS 10, 18 AND 24 OF SECTION 6, T54N, R100W, 6TH P.M., PARK COUNTY, WYOMING. Motion carried.

Commissioner Hall made a motion, seconded by Fontaine, to approve **RESOLUTION 2008-17**, APPROVAL OF A SPECIAL USE PERMIT FOR THE RAM'S HORN MAJOR SUBDIVISION LOCATED WITHIN LOTS 23 AND 25 OF SECTION 1, T54N, R101W, AND LOTS 10, 18 AND 24 OF SECTION 6, T54N, R100W, 6TH P.M., PARK COUNTY, WYOMING. Motion carried.

Site Plan Review – Rosenberg Single-Family Residence

Chairman French opened the public hearing to consider the application of Rick and Shannan Rosenberg for a Site Plan Review to allow a single-family residence on a non-conforming lot smaller than 1-acre. The property is located east of Aerie Drive, south of Highway 14-16-20 legally described as Lot 114 of Cody's Country Subdivision, T52N, R105W, 6th P.M., Park County, Wyoming within the GR-5 zoning district.

Upon hearing comments from the County Planning staff, Tara Hodges with the Wyoming Game and Fish and Matt Winslow, on behalf of the subdivision developer, Commissioner Hall made a motion, seconded by Siggins, to close the public hearing. Motion carried.

Commissioner Hall made a motion, seconded by Fontaine, to approve **RESOLUTION 2008-18**, APPROVAL OF A SITE PLAN REVIEW TO ALLOW A SINGLE-FAMILY RESIDENCE ON A NON-CONFORMING LOT SMALLER THAN 1-ACRE (0.23+/- ACRES) ON LOT 114 OF CODY'S COUNTRY SUBDIVISION, T52N, R105W, 6TH P.M., PARK COUNTY, WYOMING. Motion carried.

Work Session – Homeland Security

Commissioners met in the Old Law Library with Park County Homeland Security Coordinator Martin Knapp regarding the Park County Emergency Operation Plan. Knapp will develop a Resolution defining the Emergency Operations Council and present it to the Board at a future meeting for adoption. No action was taken.

Sleeping Giant Ski Area Discussion

Kevin Taylor, project manager for Sleeping Giant Ski Area, provided an update on plans to reopen the area. Taylor reported they are developing a non-profit organization to accept funds to revitalize the area at an estimated cost of \$2.2 million.

Commissioner Hall made a motion, seconded by Siggins, to approve **RESOLUTION 2008-19**, A RESOLUTION SUPPORTING THE REOPENING OF SLEEPING GIANT SKI AREA AS A NONPROFIT ENTITY. Motion carried.

Executive Session

Commissioner Hall made a motion, seconded by Fontaine, to go into executive session pursuant to Wyoming Statute 16-4-405 (a)(vii) to consider the purchase of land. Motion carried. Commissioner Hall made a motion, seconded by Fontaine, to go out of executive session. Motion carried.

State Funding

Commissioners reviewed information received from the Office of State Lands and Investments and discussed possible distribution programs for municipalities, districts and the County. Chairman French will work with County Clerk Jensen to schedule a meeting with qualified potential recipients to establish a project review process. No action was taken.

Bonds

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

Koleen Sponsel, Big Horn County School District #1.....\$75,000.00
Mark Boyles, Big Horn County School District #4.....\$10,000.00

Bills Approved for Payment
Insert warrant list

Adjournment

There being no further business to come before the Board, Commissioner Hall made a motion, seconded by Siggins, to adjourn the meeting. Motion carried.

Tim A. French, Chairman

Bill Brewer, Vice Chairman, Commissioner

Jill Shockley Siggins, Commissioners

Marie Fontaine, Commissioner

Bucky Hall, Commissioner

Attest:

Kelly Jensen, Park County Clerk