

**Park County Board of County Commissioners
October 7, 2008
Regular Meeting**

Proceedings of a regular meeting of the Board of County Commissioners of Park County, Wyoming, held in Cody, Wyoming on Tuesday, October 7, 2008. Present were Chairman Tim French, Commissioners Bill Brewer, Marie Fontaine, Jill Shockley Siggins and Bucky Hall and County Clerk Kelly Jensen.

Appeal of Planning Coordinator Decision

Commissioners continued consideration from the September 23, 2008 Board meeting of the appeal of a zoning violation complaint made against Dale and Donna Meyer by Richard and Mallie Zickefoose concerning an alleged contractor business and storage of a grader and backhoe. The property is described as Lot 112, Painter Estates Amended Subdivision, T56N, R106W, 6th P.M., Park County, Wyoming. The property in question is located at 31 Posten Road.

After hearing comments from the Meyers' legal representative and Richard Zickefoose, Commissioner Brewer made a motion, seconded by Siggins, to close the public hearing and the motion carried. Upon further review it was determined the discussion was not a public hearing and therefore the motion and second were invalid.

Commissioner Brewer made a motion, seconded by Fontaine, to uphold the decision of the Park County Planning Coordinator, supporting the decision that Dale and Donna Meyer were not operating a business on their property in the Painter Estates Amended Subdivision. Motion carried.

Rocktober Project Scoping Comments

Commissioners reviewed and modified draft comments to submit to the Bureau of Land Management for the Rocktober Unit Project Scoping Statement in the McCullough Peaks Travel Management Area. Following review by the Board, Commissioner Hall made a motion, seconded by Fontaine, to sign and submit the modified comments for the BLM Scoping Statement for the Rocktober Unit Project by the Bill Barrett Corporation, allowing Commissioner Fontaine and the County Planning and Road and Bridge offices to make additional modifications prior to signing the document. Motion carried.

Forest Reserve Funds

The Board took no action at this time, pending receipt of details on recent federal legislation impacting the Forest Reserve and Payment in Lieu of Taxes funding from the federal government.

Library and Road & Bridge Buildings

The Board reviewed options to sell or consider past requests to utilize the Park County Library Building and determined it is in the public interest to obtain a commercial appraisal, estimated to cost \$2500-3500 for possible sale of the property. The Board directed Administrative Assistant Peggy Ruble to obtain appraisal fees from qualified local appraisal firms for consideration at a future Board meeting. The Board further determined it is not appropriate to consider the sale of the Powell Road and Bridge shop at this time.

Approve Minutes

Commissioner Fontaine made a motion, seconded by Hall, to approve the minutes of the September 23, 2008 regular meeting. Motion carried.

Park County Complex Lease Renewals

Commissioner Hall made a motion, seconded by Siggins, to approve lease renewals in the Park County Complex for Tex-OK Limited Partnership for 2816 square feet at \$12.00/sf for one year at a total cost of \$33,792.00, payable at \$2,816.00/month October 15, 2008-October 14, 2009 and Captain Morgan's Booking, LLC for 1,235 square feet at \$12.00/sf per year for six-months at a total cost of \$7,410.00, payable at \$1,235.00/month January 1, 2009-June 30, 2009. Motion carried.

City of Powell – Posting Speed Limits

Upon recommendation from County Engineer Dave Kieper, Commissioner Hall made a motion, seconded by Fontaine, to approve and authorize the chair to sign the Street Agreement Regarding Posting of Speed Limits on Lane 8 and Road 8 (Panther Boulevard) near the new Powell High School. Motion carried.

Skid Steer Loader Bids

Upon recommendation from County Engineer Dave Kieper, Commissioner Brewer made a motion, seconded by Hall, to accept the bid from Woodward Tractor of Cody for a skid steer loader in the amount of \$45,834.88. Motion carried.

Letter of Support – Winter Jet Service

Commissioner Hall made a motion, seconded by Siggins, to approve and sign a letter supporting a grant application by Cody Yellowstone Air Service Organization to the Wyoming Department of Transportation Aeronautics Division for an Air Service Enhancement Program Grant for Delta Airlines' jet service between Cody and Salt Lake City, Utah this winter. Motion carried.

Yellowstone Country Assistance Network

Commissioner Hall made a motion, seconded by Brewer, to appoint Dalyn Farwell from the Park County Public Health Office and Suzanne Cook of the Park County Clerk's office to the Yellowstone Country Assistance Network Board to represent Park County and to pay mileage or allow use of a County vehicle to attend the meetings for two-year terms beginning October 1, 2008, with mileage expenses paid from the Community Services Block Grant if allowable or the County Commissioners' contingency fund. Motion carried.

Park County Community Wildfire Protection Plan

Commissioner Brewer made a motion, seconded by Siggins, to allow Commissioner Hall to sign the Park County Community Wildfire Protection Plan-Declaration of Agreement and Concurrence on behalf of the Board of County Commissioners. Voting in favor of the motion were Commissioners Hall, Siggins and Brewer. Opposed was Fontaine, stating the final document was not available in time to allow further comment. Motion carried.

TANF/CPI Grant FY2009

Commissioner Brewer made a motion, seconded by Hall, to approve and allow the Chair to sign the Contract Between Wyoming Department of Family Services and Park County Commissioners for Park County to operate the Temporary Assistance for Needy Families Community Partnership Initiative (TANF/CPI) for the term October 1, 2008-September 30, 2009 in the amount of \$63,300 and to obtain detailed budgets from the six identified Park County non-profits receiving the funds. Motion carried.

Bank Account Taxpayer Identification Number

Commissioner Fontaine made a motion, seconded by Brewer, to approve and sign a letter to First National Bank and Trust asking that Park County's taxpayer identification number be removed from attachment to an account held by the Homesteader Museum as the County does not have responsibility for the funds, which were raised through private donations to the Homesteader Museum in the 1990s. Motion carried.

TCT West Worksession

Commissioners met in the Old Law Library with Chris Davidson of TCT West, Chief Information Officer Mike Connors and County Attorney Bryan Skoric to consider the possible lease of land in the northeast corner of the grounds surrounding the Park County Complex for construction of a communications facility. No action was taken while further legal review of the lease is conducted.

WYECIP Worksession

Commissioners met in the Old Law Library with Tom Fuller and Phillip Delaney of the Wyoming Business Council's Wyoming Energy Conservation Improvement Program, County Engineer Dave Kieper and Buildings and Grounds Superintendent Dennis Spargur to review the process and details of the County's agreement with the Wyoming Business Council for an energy audit. No action was taken.

Executive Session

Commissioner Hall made a motion, seconded by Fontaine, to go into executive session to consider matters confidential by law pursuant to W.S. 16-4-405(a)(iii)(ix). Motion carried. Commissioner Siggins was absent, attending a City of Cody Urban Systems meeting. Commissioner Hall made a motion, seconded by Brewer to go out of executive session. Motion carried.

Indemnification for Land Patent

Commissioner Hall made a motion, seconded by Brewer, to approve and sign the Indemnification for Land Patent for the Cody Landfill to be sent to the Bureau of Land

Management as an attachment to Park County's application for the patent of land to Park County for the Cody Landfill.

Landfill Planning and Monitoring Reimbursements

Commissioner Hall made a motion, seconded by Fontaine, to approve and allow the chair to sign three landfill monitoring reports and one planning grant report to the Wyoming Department of Environmental Quality. Motion carried.

Building Lease Rates

Upon review of current leases at the Park County Complex Commissioner Hall made a motion, seconded by Fontaine, to increase the base charge for leases at the Park County Complex for all tenants by \$1.00 per square foot as leases renew and to increase to appropriate range any leases that are currently undercharged, based on the space being leased, with each lease rate being considered upon renewal. Motion carried.

Commissioner Hall made a motion, seconded by Siggins, to increase the rate per square foot for Eleutian Technologies to \$11 per square foot upon the lease renewal, setting the fee equivalent to the rate paid by the University of Wyoming. Motion carried.

Executive Session

Commissioner Fontaine made a motion, seconded by Brewer, to go into executive session to consider personnel issues pursuant to W.S. 16-4-405(a)(ii). Motion carried. Commissioner Hall made a motion, seconded by Brewer, to go out of executive session. Motion carried.

Earnings and Collections

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

Kelly Jensen, Park County Clerk	\$28,932.01
Scott Steward, Park County Sheriff	\$16,652.63
Joyce Boyer, Clerk of District Court	\$ 6,828.43
Joyce Boyer, Clerk of District Court (approved 9/23/08)	\$ 7,602.75

Bonds

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

Marshall Dominick, Cody Canal Irrigation District	\$ 1,000.00
Robert Lewendowski, School District #16	\$10,000.00

Bills Paid

A T & T	\$82.00
A-1 ELECTRIC	\$23.96
ACU TEMP	\$1,882.00
AEROTRONICS, INC.	\$642.41
ALBERTSONS PURCHASE ADV. CARD	\$57.06
ALL ACCESS CELLULAR	\$21.00
BEARTOOTH HEALTH CARE LLC	\$8,166.66
BENNETT, M.D., THOMAS L.	\$1,585.00
BERG, BRYNN	\$204.75
BEST WESTERN RAMKOTA HOTEL	\$499.52
BIG HORN ENERGY, INC.	\$813.00
BIG HORN TRAVEL	\$1,380.00
BIG VALLEY BEARING & SUPP. INC	\$123.74
BLOEDORN LUMBER - CODY	\$347.09
BOLT BIN	\$6.58
BOYER, JOYCE	\$293.74
BRANDT, DOUGLAS	\$334.41
BRAZELTON, LILLIAN	\$35.10
BRESNAN COMMUNICATIONS	\$500.47
BREWER, BILL	\$257.72
CARQUEST OF CODY WY #3106	\$1,311.20
CARQUEST OF POWELL	\$419.02
CARROLL, DEBRA	\$43.58
CDW GOVERNMENT, INC.	\$211.00
CHOICE AVIATION LLC	\$131.77
CHRISTENSEN, ROBERT	\$477.80

CLEMENTS, WILL	\$258.00
CODY ACE HARDWARE	\$499.43
CODY DAIRY SERVICE LLC	\$1,008.59
CODY ENTERPRISE	\$456.00
CODY, CITY OF	\$20,232.44
COMMUNITY HOME OXYGEN	\$12.50
CONNERS, MICHAEL	\$100.00
COPENHAVER, KATH, KITCHEN & KOLPITCKE	\$30.00
CORONADO ENTERPRISES	\$1,998.20
CREATIVE PRODUCT SOURCING, INC - DARE	\$480.00
CRUM ELECTRIC SUPPLY CO.	\$237.98
CURTS CARS	\$172.14
DANE ACKLEY CONSTRUCTION	\$247.44
DELL MARKETING CORP.	\$681.88
EDGE, RUTH I.	\$500.28
ELECTION SYS & SOFTWARE, INC	\$108.35
ENERGY WEST - WYOMING	\$21.88
ENGINEERING ASSOCIATES	\$268.79
EQUIFAX CREDIT INFO SERV.,INC.	\$55.00
FARWELL, DALYN	\$716.63
FED EX	\$618.41
FFF ENTERPRISES	\$305.70
FONTAINE, MARIE	\$53.82
FREEMAN, III, P.C., SOX B.	\$550.00
FROST, SANDRA M.	\$272.61
FUEL DEPOT, INC.	\$146.51
GAMBLES-STORE 4234, INC.	\$8.57
GARLAND LIGHT & POWER CO.	\$286.34
GARVIN MOTORS, INC.	\$194.56
GARY'S	\$496.80
GATES, SHARON	\$158.80
H & H BUSINESS SYSTEMS OF WY, INC	\$300.00
HANSON CHEMICAL INC.	\$260.00
HARRIS TRKING & CONST., INC.	\$19,744.49
HOBSON, ANNETTE	\$285.64
HOFFERT, DAVE	\$112.82
HOLDER, BILL	\$39.57
HONNEN EQUIPMENT CO.	\$4,111.89
HUMANE SOCIETY OF PARK COUNTY	\$500.00
INTERMOUNTAIN TRAFFIC SAFETY	\$7,905.65
INTERSTATE BRANDS CORPORATION	\$84.62
INTERSTATE TIRE SERV. INC	\$2,204.74
IVERSON SANITATION	\$185.00
J.C. REPAIR, INC.	\$211.00
JACKS TRUCK & EQUIPMENT, INC.	\$230.08
KEEFER, ELIZABETH	\$69.46
KIEPER, DAVID	\$111.73
LECK, NIKKI	\$61.00
LINTONS BIG R, INC.	\$975.48
LOEPER, JESSICA	\$760.00
LOWHAM,TRINA	\$94.78
LYLE SIGNS, INC.	\$1,838.09
MAJESTIC LUBE, INC.	\$135.85
MATRIX	\$1,014.06
MATTHEW BENDER & CO., INC.	\$505.40
MC CARTY AND REED, ATTORNEYS AT LAW,L.C.	\$340.00
MC CUMBER LOCKSMITH SHOP	\$2.00
Mc INTOSH OIL, INC.	\$19,248.92
MEETEETSE, TOWN OF	\$68.20
MEINECKE & SITZ, ATTYS AT LAW_031685	\$130.00
MEINECKE & SITZ, ATTYS AT LAW_031686	\$541.54

MICKELSON, JOSEPH D.	\$140.40
MIDWAY AUTO SALES	\$17,376.00
MORENO, NANCY	\$222.20
MOUNTAIN WEST COMPUTER	\$29.95
MURPHY, KATHERINE	\$49.14
NAPA AUTO PARTS	\$95.20
NORTHWEST RURAL WATER DISTRICT	\$71.70
OFFICE SHOP, THE	\$649.19
PARK COUNTY 4-H COUNCIL	\$3,338.17
PARK COUNTY FLEX SPND BEN ACCT	\$178.10
PARK COUNTY GLASS, INC.	\$65.00
PARKWAY PLAZA	\$742.80
PEAK ENVIRONMENTAL MGT., INC.	\$27,882.09
PERRINE, BARBARA	\$35.42
PILCH ENGINEERING & SURVEYING	\$9,498.75
PITT, WILLIAM	\$305.37
POSTMASTER, POWELL WY	\$64.00
POWELL OFFICE SUPPLY, INC.	\$236.47
POWELL, CITY OF	\$1,151.35
PRESTON, LYNELL K	\$61.54
PRODUCTION MACHINE CORP.	\$83.95
PROGRESSIVE FARMER	\$15.00
PUBLIC SAFETY WAREHOUSE	\$1,774.85
QUALITY PROPANE SERVICE INC	\$19.80
QUILL	\$89.36
QWEST	\$4,614.19
RAMEY, VIRGINIA L.	\$606.17
RED BARN	\$342.46
RED EAGLE OIL COMPANY, INC.	\$54,995.60
REDWOOD BIOTECH, INC.	\$145.00
RENNER, COLLEEN	\$559.15
ROCKY MOUNTAIN POWER	\$166.22
S & S AUDIO-VIDEO, INC.	\$21.87
SAFE KIDS INTERNATIONAL	\$481.50
SHIPP, RHONDA	\$371.72
SHOSHONE OFFICE SUPPLY, INC.	\$1,582.25
SIMPSON, WILLIAM L.	\$400.00
SKORIC, BRYAN	\$739.96
SOWERWINE-VENIER, HELEN E.	\$41.06
STROHS INDUSTRIAL LUBRICATION	\$440.00
SUN RIDGE SYSTEMS, INC.	\$1,085.00
SYSCO FOOD SERVICES OF MONTANA	\$545.06
TCT WEST, INC	\$152.16
TEMPLETON, CONNIE	\$16.79
THOMPSON LAW LLC	\$1,900.00
THOS. Y. PICKETT & CO., INC.	\$1,100.00
TRACTOR & EQUIPMENT CO	\$6,554.43
UNITED BUILDING CENTERS	\$9.35
UNIVERSITY OF WY - ADMIN BUSINESS OFFICE	\$12,000.00
UPS STORE, THE	\$37.67
VALLEY WELDERS & IND SUPPLY	\$7.25
VERIZON WIRELESS	\$500.25
VISIONARY COMMUNICATIONS INC	\$79.95
WAGGONER, KIRK	\$63.52
WAL MART COMMUNITY	\$2,316.48
WALTON, DERRIK, DDS, PC	\$126.00
WEST PARK HOSPITAL	\$523.60
WEST PAYMENT CENTER	\$190.00
WESTERN PLAINS MACHINERY CO.	\$144.51
WPCI CONSULTANTS, INC.	\$139.50
WURZEL, PATRICIA A	\$55.58

WYOMING CLERK OF DISTRICT COURT ASSN	\$125.00
WYOMING COMMUNITY DEV. AUTHORITY	\$29,949.93
WYOMING DEPT OF TRANS - ACCOUNTING	\$134.52
WYOMING FIRE SAFETY, LLC	\$300.00
WYOMING SECRETARY OF STATE	\$20.00
WYOMING STATE ARCHIVES	\$6.00
TOTAL WARRANTS 10/7/08	<u>\$300,865.74</u>

Adjournment

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

Tim A. French, Chairman

Bill Brewer, Vice Chairman

Jill Shockley Siggins, Commissioner

Marie Fontaine, Commissioner

Bucky Hall, Commissioner

Attest:

Kelly Jensen, Park County Clerk