

**Park County Board of County Commissioners
September 23, 2008
Regular Meeting**

Proceedings of a regular meeting of the Board of County Commissioners of Park County, Wyoming, held in Cody, Wyoming on Tuesday, September 23, 2008. Present were Chairman Tim French, Commissioners Bill Brewer, Marie Fontaine, Jill Shockley Siggins and Bucky Hall, and First Deputy County Clerk Wardi Reber.

Governor's Natural Resource Tour Report

Commissioner Jill Shockley Siggins, Deputy County Attorney Jim Davis, Cody Country Chamber of Commerce Director Kim Jones, Former Powell Chamber of Commerce Director Kim Capron, and Commissioners' Secretary Brenda Bangert attended the Governor's Natural Resource Tour in Sheridan and Johnson Counties September 8-9, 2008 on behalf of Park County and provided information from the tour.

Public Hearing – Temporary Transfer of funds for Library Project

Chairman French opened the Public Hearing to consider the temporary transfer of funds, not to exceed \$1,300,000.00, from the County Cash Reserve Fund to the Park County Library Project. Upon hearing no comments, Commissioner Hall made a motion, seconded by Siggins, to close the Public Hearing. Motion carried.

Commissioner Fontaine made a motion, seconded by Hall, to temporarily transfer funds not to exceed \$1,300,000.00 from the Park County Cash Reserves Fund to the Park County Library Project and send a letter to County Treasurer Nena Graham-Burke authorizing the transfer. Motion carried.

Simpson Private Road Establishment Petition

Jim Davis, Deputy County Attorney discussed the Amended Petition of Peter K. and Lynne L. Simpson for the Establishment of a Private Road. The petition must comply with statutory requirements. The Board reviewed the petition to determine if it complied. It was determined to be in compliance. The Board also verified the applicant had provided notice to all affected parties. Attorney Colin Simpson (appearing by telephone to represent Peter and Lynne Simpson) and Attorney Andrea Earhart (representing Mariposa, LLC) were in attendance.

Commissioner Fontaine made a motion, seconded by Siggins, to approve the Order on Review of Petition, Establish the date of December 4, 2008 at 9:00 a.m. for the Necessity Hearing and setting a bond at \$5000 and allow the chair to sign. Motion carried.

Park County Parks & Recreation Board Interviews

Commissioners interviewed Theresa Karter and Doyle Stout to complete one unexpired term on the Park County Parks & Recreation Board.

Commissioner Siggins made a motion, seconded by Hall, to appoint Doyle Stout to complete an unexpired term through December 31, 2012 on the Park County Parks & Recreation Board. Motion carried

Approve Minutes

Commissioner Fontaine made a motion, seconded by Brewer, to approve the minutes of the September 9, 2008 regular meeting. Motion carried.

Park County Complex Lease Renewal

Commissioner Hall made a motion, seconded by Siggins, to approve the lease renewal for Thomas Boyd, dba Consulting Professional Landman for 280 square feet for twelve months at \$12.00/square foot, \$3,360.00 total or \$280.00/month at the Park County Complex. Motion carried.

Buildings and Grounds Superintendent Dennis Spargur reviewed all current leases with the Board. They will conduct a work session to review the rate per square foot for future leases.

Wyoming Homeland Security FY 2007 EMPG Grant

Martin Knapp, Park County Homeland Security Coordinator reviewed an amendment to the Homeland Security EMPG grant resulting in an increase of \$2,003.11.

Commissioner Fontaine made a motion, seconded by Hall, to approve and allow the chair to sign the amendment to the FY07 EMPG grant, Project ID: 07-ODP-PAR-EM-GCF7, increasing it by \$2,003.11, and extending the expiration date to September 30, 2008. Motion carried.

Library Banner – Liability Coverage

Library Director Frances Clymer reviewed her interaction with the City of Cody regarding banners over the highway at Dairy Queen and the Greybull Hill announcing the Park County Library opening. Specifically the City of Cody requires a \$1,000,000.00 liability policy for banners. Park County's coverage does not include this type of insurance. A Library Board member has offered to add a rider to his personal homeowner's policy to cover the \$1,000,000.00 liability insurance for the banner, thereby removing the need for a letter to the City asking that the coverage requirement be waived. No action was taken.

Library Cafeteria Memorandum of Understanding

Rhonda Peer, Dean of Extended Campus Services at Northwest College reviewed the Memorandum of Understanding (MOU) between Northwest College and Park County for Library Cafeteria services and facility use. Following discussion, modifications were made to the schedule of the remittance of 25% of net proceeds to Park County every six months and a statement was added that Northwest College does not waive its immunities. In addition, the list of equipment referred to as Attachment A was added.

Commissioner Siggins made a motion, seconded by Hall, to approve and sign the Memorandum of Understanding between Park County Board of County Commissioners and Northwest College Food and Hospitality Program. Motion carried.

Public Health Preparedness & Response for Bioterrorism

Commissioner Brewer made a motion, seconded by Fontaine, to approve and allow the chair to sign the Grant Award Agreement for U.S. Department of Health and Human Services - Public Health Preparedness & Response for Bioterrorism Wyoming Department of Health and Park County Public Health Nursing Services in the amount of \$87,310.00, from October 1, 2008 through September 30, 2009. Motion carried.

Skid Steer Loader Bids

Dave Kieper, County Engineer, opened the bids for a 2008 or newer Skid Steer Loader. Bids were received from Western Plains Machinery (Billings, MT) - (2008 CASE 445 with attachments) \$58,976.00 - 90 day delivery; Tractor and Equipment Company (Billings, MT) - (2008 CATERPILLAR 256C with attachments) \$62,800.00 - Jan. 12, 2009 delivery; Woodward Tractor (Cody, WY) - (2008 BOBCAT S250 with attachments) \$45,834.88 - 45 day delivery; Jack's Truck and Equipment (Gillette, WY) - (2008 GEHL 6640E with attachments) \$46,951.17, 60-day delivery. Kieper will present recommendations at the October 7, 2008 Board meeting.

TCT West, Inc. Lease Agreement

Mike Connors, Chief Information Officer and Ron Collingwood of TCT briefly discussed a proposed lease agreement for a communications building on the Park County Complex grounds. The Board will meet with Connors and TCT representatives October 7, 2008 to further consider the lease agreement. No action was taken.

Preliminary Digital Floodplain Maps

Commissioners and County Planner Linda Gillett attended a discussion regarding the official display of preliminary maps as presented by representatives of the Federal Emergency Management Agency (FEMA) for the National Flood Insurance Program (NFIP) and ICON Engineering, Inc. No action was taken.

Appeal of Planning Coordinator Decision

Park County Planner Linda Gillett and Assistant Planner Jeff Goodrich presented background information regarding a decision pertaining to 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.

Having heard comments from landowner Dale Meyer and receiving an Appeal Memorandum from appellant Richard Zickefoose, Commissioner Fontaine made a motion, seconded by Brewer, to table a decision until the Board's regular meeting October 7, 2008. Motion carried.

Draft Park County Community Wildfire Protection Plan

Linda Gillett updated the Commissioners on suggested changes to the Park County Community Wildfire Protection Plan. The Board agreed to her suggested changes and recommended they are included in the Plan when it is prepared for adoption.

Temporary Assistance for Needy Families/Community Partnership Initiative

Commissioner Brewer made a motion, seconded by Siggins, to approve and allow the chair to sign the 2008 final Temporary Assistance to Needy Families/Community Partnership Initiative (TANF/CPI) grant final report with 4% unexpended. Motion carried.

Thank You Letter - Tour and Lunch

Commissioner Siggins made a motion, seconded by Brewer, to approve and sign a thank you letter to Sheriff Scott Steward for a tour and lunch at the Park County Law Enforcement Center. Motion carried.

Extended Professional Service Agreement - UW Cooperative Extension

Commissioner Fontaine made a motion, seconded by Siggins, to approve and have the chair sign the Extended Professional Service Agreement with the University of Wyoming for 4-H and other youth programming in the amount of \$18,918.00 for the term July 5, 2008 – June 30, 2009. Motion carried.

Final Plat – Dietz Simple Subdivision Final Plat

Assistant County Planner Nikki Leck presented the Dietz Subdivision SS-163 Final Plat, whose applicant is Darvin Dietz. It is a two-lot subdivision totaling approximately 15.00+/- acres for Lot 1 and 14.98 +/- acres for Lot 2 from an original parcel containing 29.98 +/- acres within Lot 58, Resurvey, T52N, R101W, 6th P.M., Park County, Wyoming in the GR5 zoning district, located at 104 Road 3CXS southeast of Cody.

Commissioner Siggins made a motion, seconded by Brewer, to adopt **RESOLUTION 2008-69, APPROVAL OF A FINAL PLAT FOR THE DIETZ SS-163 WITHIN LOT 58, RESURVEY, T. 52 N., R. 101 W., 6TH P.M., PARK COUNTY, WYOMING.** Motion carried.

Final Plat – Amended Plat for Lot 3, McCullough Peaks Subdivision

Assistant County Planner Nikki Leck presented the McCullough Peaks Subdivision Amended Plat, whose applicants are Christopher Lowther, Susan Kinney-Lowther, and Suzanne Cole. It is on land described as a portion of Lot 2 of Cole SS-138 and Lot 3 of McCullough Peaks Subdivision, T52N, R101W, 6th P.M., Park County, Wyoming within the GR-5 Zoning District to reconfigure boundaries to vacate a portion of Lot 2 of Cole SS-138, to vacate Lot 3 of McCullough Peaks Subdivision, and to replat all of the vacated acreage as Lot 103 of the McCullough Peaks Subdivision. It is located east of Spicer Lane, west of Cole Road, south of Highway 14-16-20, Cody.

Commissioner Brewer made a motion, seconded by Fontaine, to adopt **RESOLUTION 2008-70, approval of a Amended Plat for the MCCULLOUGH PEAKS SUBDIVISION AS A PORTION OF LOT 2 OF COLE SS-138 AND LOT 3 OF MCCULLOUGH PEAKS SUBDIVISION, T. 52 N., R. 101 W., 6th P.M., PARK COUNTY, WYOMING.** Motion carried.

Landfill Planning

Commissioners moved to the Old Law Library to hold a work session to review the Economic Analysis Phase of the Integrated Solid Waste Management Plan for Park County. Topics addressed included the solid waste alternatives, location of future transfer stations, and expanding recycling efforts in the County. The deadline for comments to be submitted to Peak Environmental Management is October 6, 2008. No action was taken.

Adjournment

There being no further business to come before the Board, Commissioner Brewer made a motion, seconded by Fontaine, 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