

**Park County Board of County Commissioners
September 14, 2010
Regular Meeting**

Proceedings of a regular meeting of the Board of County Commissioners of Park County, Wyoming, held Tuesday, September 14, 2010. Present were Chairperson Jill Shockley Siggins, Commissioners Tim French, Dave Burke, Bill Brewer and Bucky Hall, and County Clerk Kelly Jensen.

Contested Case Hearing: Worthington Communities, LLC

Commissioner Burke made a motion, seconded by French to open the contested case hearing in the Matter of Worthington Communities, LLC as Successor in Interest to Northfork Communities, Inc. vs. Board of County Commissioners. Motion carried.

Deputy County Attorney Jim Davis outlined the purpose for the Contested Case Hearing, describing the original 2005 Special Use Permit conditions placed on the Copperleaf Subdivision and the subsequent hearing held in objection to some of the conditions and the outcome of that contested case hearing. Davis stated the current contested case hearing relates to whether or not Northfork Citizens should have been allowed to participate in the original contested case hearing. Davis recommended reaffirming the final rule the Board adopted in 2006 that allowed a gate, private roads, and multi-family housing at Copperleaf. He stated the Supreme Court remanded the Board's decision to allow the Intervenor (Northfork Citizens) to participate in the contested case hearing. Davis noted the Intervenor was not in attendance for the present Contested Case Hearing and that Worthington Group is not objecting to the restrictions agreed to in 2006.

Dawn Scott of the Bonner Stinson Law Office appeared on behalf of the Worthington Group, LLC. She asked the Board to review the findings of fact and conclusions of law from 2006 and the formal order that followed the findings of fact and to reaffirm that order adopted by the Board in 2006.

Commissioner Hall made a motion, seconded by French to close the Contested Case Hearing. Voting in favor of the motion were Commissioners French, Brewer and Hall. Opposed was Commissioner Burke. Motion carried. Commissioner Hall made a motion, seconded by French to reaffirm the decision of the Board of Park County Commissioners through the order adopted in 2006. Voting in favor were Commissioners French, Hall and Brewer. Opposed was Commissioner Burke, stating opposition to affirming a document he had not reviewed. The motion carried.

Intangible Assets

Upon recommendation from County Clerk Kelly Jensen, Commissioner French made a motion, seconded by Burke, to adopt modifications to the Park County Fiscal Procedures for Fixed and Controlled Assets to include procedures for reporting Intangible Assets. Motion carried.

Award Bids from September 7, 2010 Opening

Commissioner Brewer made a motion, seconded by French to award the bid for a tractor and mower to Lathrop Equipment of Casper in the amount of \$69,300.00 after trade-in. Motion carried. Commissioner Burke made a motion, seconded by Hall to accept the effective low bid from Webster Motors in the amount of \$25,308.00 after trade for a one-ton pickup chassis. Motion carried. Commissioner French made a motion, seconded by Brewer to accept the bid from HCL Truck Equipment of Billings in the amount of \$7,700.00 for a truck service body. Motion carried. Upon recommendation from County Engineer Dave Keeper, the Board did not take action to award a bid for a Tandem Axle Dump Truck.

Custer National Forest Comments

Kenny Gasch, Cody Director of Jackson Hole Mountain Guides asked the Board to consider sending a letter to the Custer National Forest, Beartooth District, objecting to the Forest eliminating 2000 commercial user days that resulted from the closure of Outward Bound in Red Lodge and are not being reassigned to other users.

Commissioner French made a motion, seconded by Hall, to send a letter to the Custer National Forest, Beartooth District, stating the County's position they should maintain, if not increase, commercial user days on the Custer National Forest. Motion carried.

Approve Minutes

Commissioner Hall made a motion, seconded by Burke, to approve the minutes of the September 7, 2010 meeting, as modified from the draft minutes, summarizing equipment bids. Motion carried.

National Assisted Living Week Proclamation

Deb Bush, Director of the Heartland, Powell Valley Healthcare, introduced three Heartland residents outlined her request to proclaim National Assisted Living Week 2010 – “Living Life”.

Commissioner French made a motion, seconded by Brewer, to proclaim the week of September 12-18, 2010 as National Assisted Living Week. Motion carried.

Approve Bonds

Upon recommendation from Park County Treasurer Nena Graham-Burke, Commissioner Burke made a motion, seconded by Hall to approve bonds for Bryant Startin (Shoshone Irrigation District Manager - \$1,000), Klodette Stroh (Joint Powers Board Commissioner - \$1000), Anna Sapp (Park County Library Board Treasurer - \$40,000) and Angie Johnson (Meeteetse Town Treasurer- \$100,000). Motion carried.

Approve & Sign TANF/CPI Quarterly Reports

Commissioner French made a motion, seconded by Brewer to approve and allow the chair to sign the Temporary Assistance for Needy Families/Community Partnership Initiative Quarterly Reports. Motion carried.

Air Service Enhancement Support Letter

Commissioner French made a motion, seconded by Hall to send a letter in support of the Air Service Enhancement Program through WYDOT Division of Aeronautics. Motion carried.

Public Hearing – Clay Butte Minor Subdivision – 8

Commissioner Hall made a motion, seconded by French to open a public hearing to consider the sketch plan application of Mallie Zickefoose, Crandall Properties, LLC for a 2-lot minor subdivision for single family residential use (known as Clay Butte Minor Subdivision – 8). Motion carried.

Assistant Planner Becky Conrad presented the application of Mallie Zickefoose, Crandall Properties, LLC for a two-lot subdivision for single family residential use consisting of 5.22 acres and 5.02 acres located within Crandall SS-144, Section 4 and 5, T56N, R106W, 6th P.M., Park County, Wyoming in a GR-5 zoning district. Commissioners addressed questions from two neighboring landowners regarding road maintenance and received comments from the applicant's representative. County Project Manager Mike Collier outlined the requirements for the access road to be built to County standards, but reiterating it remains private and will not be maintained by the County. There being no further comments to come before the Board, Commissioner Hall made a motion, seconded by Burke to close the public hearing. Motion carried.

Commissioner Hall made a motion, seconded by Burke to approve **RESOLUTION 2010-44**, SKETCH PLAN APPROVAL OF THE CLAY BUTTE MINOR SUBDIVISION -8. Motion carried.

Community Housing Assessment Final Report

Forward Cody Director James Klessens addressed the Board with the final report from the Park County Community Housing Assessment conducted with grant funding from the Wyoming Business Council. Klessens outlined several areas where limited or inadequate housing issues exist, including rental properties, student housing, low income housing and mobile home housing. Klessens and the volunteer committee that involved in the study will continue to meet and seek developers interested in addressing the housing issues noted. No action was taken.

Interviews – Park County Historic Preservation Commission

Commissioners interviewed Jennifer Lohrenz of Ralston and Daren Singer of Cody for an unexpired at-large term on the Park County Historic Preservation Commission. Commissioner Burke made a motion, seconded by French to appoint Daren Singer to complete an unexpired term on the Park County Historic Preservation Commission through December 31, 2010. Motion carried.

Interviews – Park County Parks and Recreation Board

Commissioners interviewed Lincoln Reese and Colby Stenerson for an unexpired term on the Park County Parks and Recreation Board. Commissioner Brewer made a motion, seconded by Hall to appoint Colby Stenerson to complete an unexpired term on the Park County Parks and Recreation Board through December 31, 2013. Motion carried.

Executive Session

Commissioner Hall made a motion, seconded by Burke to go into executive session pursuant to W.S. 16-4-405(a)(ix), matters confidential by law. Commissioner Brewer made a motion, seconded by Burke to close the executive session. Motion carried.

Adjournment

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

Jill Shockley Siggins, Chairperson

Dave Burke, Vice Chair

Tim A. French, Commissioner

Bucky Hall, Commissioner

Bill Brewer, Commissioner

Attest:

Kelly Jensen, County Clerk