

**Park County Board of County Commissioners
August 16, 2011
Regular Meeting**

A regular meeting of the Board of County Commissioners of Park County, Wyoming, was held on Tuesday, August 16, 2011. Present were Chairman Bucky Hall, Commissioners Loren Grosskopf, Dave Burke, Joe Tilden, Tim French and County Clerk, Jerri Torczon.

Chairman Bucky Hall called the meeting to order and led the audience in the pledge of allegiance.

Discussion - Comments on Yellowstone National Park Winter Use Proposed Rule.

A discussion was held regarding the Board's comments on the Yellowstone National Park Winter Use Proposed Rule. Deputy County Attorney James F. Davis and Commissioner French, Park County's Yellowstone National Park liaison, have worked together regarding a response on the proposed rule for the preferred alternative of the Winter Use in Yellowstone Park. The preferred alternative has yet to be adopted. It was moved by Commissioner Burke, seconded by Commissioner Tilden, and unanimously carried to authorize Deputy County Attorney Davis and Commissioner French to draft a cover letter on the proposed rule with the same comments that the Commissioners made previously on the preferred plan.

Approval of Minutes.

The minutes of the regular meeting of August 9, 2011 were presented to the Board for consideration. It was moved by Commissioner Grosskopf, seconded by Commissioner Tilden and unanimously carried to approve the minutes as presented.

Approval of Bills.

The vouchers were presented to the Board for consideration. It was moved by Commissioner Grosskopf, seconded by Commissioner Burke and unanimously carried to approve the following vouchers for payment:

<u>Payee</u>	<u>Amount</u>
ALAN, STUART	\$2,400.00
AMERICAN WELDING & GAS INC	\$10.23
AT CONFERENCE	\$26.97
BALDWIN COOKE, INC.	\$366.12
BANGERT, BRENDA	\$4.43
BEARTOOTH ELECTRIC COOP	\$121.35
BEDUHN, NICK	\$2,850.00
BEST WESTERN RAMKOTA HOTEL	\$154.00
BIG HORN ENERGY, INC.	\$2,742.30
BIG HORN PAINT, INC.	\$153.54
BIG HORN RURAL ELECTRIC COMPANY	\$367.27
BIG HORN TIRE RECYCLING	\$16,385.00
BIG HORN WHOLESALE, INC.	\$2,433.51
BLATT, TIMOTHY J.	\$39.96
BOB BARKER COMPANY	\$843.52
BOONES MACHINE	\$108.00
BRESNAN COMMUNICATIONS	\$159.96
CALL, TERRY	\$12.95
CAMPBELLS REPAIR & COLLISION	\$74.00
CARQUEST OF CODY WY #3106	\$9.30
CARROLL, CRAIG	\$375.00
CDW GOVERNMENT, INC.	\$6,150.32
CHEW, BILL	\$49.19
CHRISTIE, LOGAN	\$53.28
CLEAN SWEEP	\$1,270.00
CODY ACE HARDWARE	\$849.28
CODY ENTERPRISE	\$8,322.63
CODY, CITY OF	\$2,413.67

COMMERCIAL LAUNDRY SALES	\$100.51
COMPUTER SOFTWARE ASSOCIATES, INC	\$296.88
CONNERS, MICHAEL	\$44.90
CONRAD, BECKY	\$13.51
COPENHAVER, KATH, KITCHEN & KOLPITCKE	\$400.00
CORRECTIONAL HEALTHCARE MGMT INC	\$16,033.17
COULTER CAR CARE CENTER	\$160.00
COWAN CONSTRUCTION,INC	\$72,790.20
CRISIS INTERVENTION SERVICES	\$1,257.08
CRUM ELECTRIC SUPPLY CO.	\$281.53
CUSTOM DELIVERY SERVICE INC	\$40.24
EAGLE RECOVERY & TOWING	\$260.00
ENERGY WEST - WYOMING	\$1,200.65
FASTENAL	\$158.22
FED EX	\$24.76
FITZWATER, VICKIE	\$57.72
GAMBLES-STORE 4234, INC.	\$3.20
GARLAND LIGHT & POWER CO.	\$678.36
GARYS VACUUM & STAMPS	\$95.00
GLOBALSTAR USA, INC.	\$25.82
GOODYEAR PRINTING	\$542.00
HORIZONS UNLIMITED, LLC	\$201.00
INTERSTATE BRANDS CORPORATION	\$311.24
INTERSTATE BUSINESS PRODUCTS_022169	\$328.00
JOHN DEERE FINANCIAL	\$234.59
JPATS/USMS	\$1,636.55
KEEGAN & WINSLOW P.C.	\$1,735.00
KOREM CORPORATION	\$2,970.00
LAW ENFORCEMENT TARGETS, INC.	\$84.29
LINTONS BIG R, INC.	\$90.10
MAJESTIC LUBE, INC.	\$160.35
MATTHEW BENDER & CO., INC.	\$815.46
MC CARTY, REED, & EARHART, ATTYS L.C.	\$370.00
McCUMBER LOCKSMITH SHOP	\$1,162.25
McJUNKIN, KIM	\$22.99
MEETEETSE, TOWN OF	\$105.20
MICKELSON, JOSEPH D	\$133.20
MILES, SARAH N,	\$1,870.68
MONTANA-DAKOTA UTILITIES CO.	\$75.52
MOTOR PARTS, INC.	\$101.93
MURPHY, ERIC	\$32.19
NAPA AUTO PARTS	\$16.99
NATIONAL BUSINESS SYSTEMS, INC	\$5,550.00
NEMONT	\$46.19
NORTHERN GARDENS	\$166.25
NORTHWEST RIVER SUPPLIES, INC.	\$609.53
OFFICE SHOP, THE	\$2,188.32
OTIS ELEVATOR CO.	\$298.56
PARK COUNTY TREASURER	\$122.40
PENWELL, STEVE	\$67.70
PITNEY BOWES, INC. - A/R	\$50.87
POCKET PRESS, INC.	\$449.50
POWELL ELECTRIC, INC.	\$6,160.00
POWELL OFFICE SUPPLY, INC.	\$205.20
POWELL TRIBUNE, INC.	\$1,440.84
POWELL VALLEY HARDWARE	\$40.66
PRO-BUILD - CODY	\$1,445.77
PROCESS POWER & CONTROL, INC.	\$92,915.90
PRODUCTION MACHINE CORP.	\$104.34
QUICK STOP	\$36.00
QWEST	\$72.88
R & D WINDOW DESIGNS	\$2,473.38
RED EAGLE FOOD STORES	\$1,306.84
REED, DARLENE	\$29.83
ROCKY MOUNTAIN POWER	\$95.75
SANDERS PLUMBNG & HEATNG, INC.	\$1,003.05

SCHLENKER, DAVID	\$54.95
SCHRADER METAL & DESIGN, INC.	\$158.61
SELBYS, INC.	\$1,060.65
SHELL FLEET PLUS, INC.	\$580.24
SHOSHONE OFFICE SUPPLY, INC.	\$858.07
SHREVE & ASSOCIATES	\$1,510.00
SIMPSON, WILLIAM L	\$400.00
STROUPE PEST CONTROL, CO.	\$95.00
SYSCO FOOD SERVICES OF MONTANA	\$425.26
TCT WEST, INC	\$3,263.31
TEAM LABORATORY CHEMICAL CORP.	\$105.00
TWO MEDICINE	\$1,421.00
UPS STORE, THE	\$118.59
VERIZON WIRELESS	\$116.40
VISA	\$1,178.49
W.A.C.O.	\$1,435.00
WEST PAYMENT CENTER	\$525.62
WHOLESALERS KNOWLEDGE	\$513.95
WOODWARD TRACTOR & RENTAL, INC	\$259.21
WPCI CONSULTANTS, INC.	\$144.00
WYOMING DEPARTMENT OF EMPLOYMENT	\$208.46
WYOMING DEPT. OF WORKFORCE SERVICES	\$6,975.86
WYOMING DIVISION OF VICTIM SERVICES	\$129.00
WYOMING FIRE SAFETY, LLC	\$85.00
WYOMING SECRETARY OF STATE	\$120.00

TOTAL \$294,288.49

Approval of Payrolls.

Payrolls for August 4, 2011, in the amounts of \$499,154.27 and \$978.20; for August 5, 2011, in the amounts of \$74,186.40 and \$5,711.96; and for August 8, 2011, in the amount of \$541.31 were presented to the Board for consideration. It was moved by Commissioner Grosskopf, seconded by Commissioner French and unanimously carried to approve the payrolls as presented.

Approval – Revised Stop-Loss Application for Health Insurance.

Commissioners Grosskopf and Burke presented a revised Stop-Loss Application for Health Insurance, due to the insurance contract being on a calendar year basis and Park County operating on a fiscal year basis. No changes in coverage are being made. After a general discussion, it was moved by Commissioner French, seconded by Commissioner Grosskopf and unanimously carried to approve the Revised Stop-Loss Application with Meritain Health and authorized the Chairman to sign.

Approval – Summaries of Material Modification and Amendment #1 and Amendment #8 to the Park County Employee Benefit Plan.

Summaries of Material Modification and Amendment #1 and Amendment #8 of the Park County Employee Benefit Plan for Meritain Health, pursuant to the Affordable Care Act, were presented for the Board’s consideration. It was moved by Commissioner Burke, seconded by Commissioner Grosskopf and unanimously carried to approve the Summaries of Material Modification and Amendment #1 and Amendment #8 to the Park County Employee Benefit Plan and authorized the Chairman to sign.

Approval – Out of State Travel.

County Clerk Jerri Torczon presented a request for out of state travel for the Elections Deputy to travel to Omaha, Nebraska for training. After a general discussion, it was moved by Commissioner Burke, seconded by Commissioner Tilden and unanimously carried to approve out of state travel for the Elections Deputy.

Wage Clarification for Sheriff's Department.

County Sheriff Scott Steward came before the Board and requested that he be allowed to advertise wages for vacant deputy positions at Grade 15, Step 3 of the County Pay Plan, which is \$17.52 per hour. Sheriff Steward stated that paying new deputies the wage at step 1 would be similar to wages paid five years ago for new hires. After a general discussion, it was moved by Commissioner Tilden, seconded by Commissioner Grosskopf and unanimously carried to allow the Sheriff to advertise for new deputies at Grade 15, Step 3.

Discussion - Consider Approval of Memorandum of Understanding for Shoshone Forest Plan Revision.

A discussion was held regarding the Memorandum of Understanding for the Shoshone Forest Plan Revision. After a general discussion, no action was taken.

Approval – Broadcasting Commissioner Meetings.

Mike Vanata and Marla Isbell of TCT West came before the Board and requested permission to broadcast Park County Commissioner meetings on local television programming channels. After a general discussion, it was moved by Commissioner Grosskopf and seconded by Commissioner Tilden to allow TCT West to install two permanent cameras, as long as no holes were put in the walls, and requested that TCT West prepare a memorandum of understanding regarding the installation and taping. Roll was called on the motion with Commissioner Grosskopf and Commissioner Tilden casting affirmative votes and Commissioner Burke and Commissioner French casting dissenting votes. Chairman Bucky Hall cast his affirmative vote. Motion carried.

Revised Greybull Valley Irrigation District Assessment.

County Clerk Jerri Torczon presented a correction from the Greybull Valley Irrigation District on the per acre foot assessment for Lower Sunshine. A typographical error in the assessment roll reflected that the assessment would be \$2.25 per acre foot and it should have been \$2.62 per acre foot. After a general discussion, it was moved by Commissioner Grosskopf, seconded by Commissioner French and unanimously carried to approve the Greybull Valley Irrigation District Assessment for Lower Sunshine at \$2.62 per acre foot.

Approval – Department of Environmental Quality Administrative Orders of Consent for Powell and Meeteetse Landfills.

Tim Waddell, Solid Waste Superintendent, came before the Board and requested approval of the Department of Environmental Quality (DEQ) Administrative Orders for the Powell and Meeteetse Landfills. After a general discussion, it was moved by Commissioner Burke, seconded by Commissioner Tilden and unanimously carried to approve the DEQ Administrative Orders of Consent and authorized the Chairman to sign.

Approval - Memorandum of Understanding for Hazardous Waste Collection Day.

Tim Waddell, Solid Waste Superintendent, presented the Memorandum of Understanding between Park County, Park County Weed and Pest Control District, the City of Powell and the City of Cody for Hazardous Waste Collection Day. It was moved by Commissioner French, seconded by Commissioner Burke and unanimously carried to approve the Memorandum of Understanding and authorized the Chairman to sign.

Approval – Lease Agreement with Thomas Boyd.

Dennis Spargur, Superintendent of Buildings and Grounds, came before the Board and presented a lease at the Park County Complex with Thomas Boyd, dba Consulting Professional Landman. After a general discussion, it was moved by Commissioner Tilden, seconded by Commissioner French and unanimously carried to approve the lease as presented.

Approval - First Amendment to Lease Agreement with Iron Creek Energy Group, LLC.

Dennis Spargur, Superintendent of Buildings and Grounds, presented the First Amendment to the Lease Agreement at the Park County Complex with Iron Creek Energy Group, LLC. The amendment will add additional rooms to the lease. It was moved by Commissioner French, seconded by Commissioner Tilden and unanimously carried to approve the First Amendment to the Lease Agreement with Iron Creek Energy Group, LLC.

Approval – Malt Beverage and Catering Permits.

County Clerk Jerri Torczon presented a Malt Beverage Permit and two Catering Permits to the Board for their consideration. It was moved by Commissioner Tilden, seconded by Commissioner French and unanimously carried to approve a Malt Beverage Permit for Bobby Joe Long for the Wyoming Stock Growers Association Annual Picnic on August 27, 2011, at Hatt Ranch, 4 Road 3LD, in Meeteetse; and two Catering Permits for Road Grill for the Ridgeway Wedding on August 27, 2011 at 113 Sunlight Road, in Cody; and the McGee Wedding on September 24, 2011 at 7D Ranch, 774 County Road 7GG, in Cody.

Approval – Cooperative Agreement for County Health Officer.

The Grant Award Agreement with the U.S. Department of Health and Human Services Public Health Emergency Preparedness, the Wyoming Department of Health, the Park County Health Officer and Park County was presented to the Board for consideration. It was moved by Commissioner French, seconded by Commissioner Grosskopf, and unanimously carried to approve the Grant Award in the amount of \$12,000.00 and authorized the Chairman to sign.

Convene as County Board of Equalization.

The Commissioners then convened as the County Board of Equalization for the purpose of setting a date and time for hearing on the matter of Fred Reynolds' tax appeal, Docket No. 2010-0108. After a general discussion, it was moved by Commissioner Burke, seconded by Commissioner Grosskopf and unanimously carried to appoint Southgate (Sox) Freeman to serve as the Board of Equalization Hearing Officer and to hold the hearing on October 6, 2011 at 8:30 a.m.

It was moved by Commissioner Burke, seconded by Commissioner Grosskopf and unanimously carried to adjourn as the Board of Equalization.

Recess.

The meeting recessed for lunch and reconvened at 1:15 p.m.

Public Hearing – Special Use Permit of John M. Hull for a Major Utility Use Wind Turbine.

A public hearing was held regarding the application of John M. Hull for a special use permit for a major utility use wind turbine at 1899 Lane 8, within Lot 10, Sec. 7, T55N, R100W, 6th PM, Park County, Wyoming, a General Rural-Powell zone (GR-P). Becky Conrad, Planner II, presented the staff report and the findings of fact, conclusions and recommendations. The proposed wind turbine would be 141.3 feet in height. Staff recommendations were to reduce the height of the tower to 70 feet. Written comments were received from Heart Mountain Irrigation District, from Greg Sylvester of Sommers & Voerding Real Estate, and from Lydia and Mike Rosenberg. Oral comments were received from Linda Bell and Justin Munk of Intermountain Wind and Solar. After a general discussion, it was moved by Commissioner Tilden, seconded by Commissioner Grosskopf, and unanimously carried to continue the public hearing until more information could be obtained regarding levels of power generated at different tower heights.

Request for Tax Refund – Jon and Gina Sowerwine.

Jon Sowerwine appeared before the Board requesting a refund for ad valorem property tax payments made erroneously. County Assessor Pat Meyer and Deputy

County Attorney James F. Davis also appeared before the Board and stated that due to a land deed that was missed, Mr. Sowerwine has paid for property taxes on State land for several years. After a general discussion, it was moved by Commissioner Burke, seconded by Commissioner Tilden and unanimously carried to instruct the County Treasurer to refund the excess taxes paid by Jon and Gina Sowerwine, in the amount of \$837.24.

Approval – Application for State Lands and Investments Consensus Funds.

An application for Consensus Funds for the State Land and Investments Board was presented to the Board for consideration. After a general discussion, it was moved by Commissioner Burke, seconded by Commissioner Grosskopf and unanimously carried to approve the County Consensus Fund Request to the State Land and Investment Board, in the amount of \$660,988.15 for Park County Fairgrounds Electrical & Infrastructure Upgrade; in the amount of \$67,050.00 for the City of Cody for Bob Moore Parking Lot Reconstruction; and in the amount of \$61,200.00 for the City of Powell for Avenue D Widening Project.

Discussion - Homesteader Museum Land Acquisition.

A discussion was held regarding land acquisition for the Homesteader Museum. Mayor Scott Mangold and City Administrator Zane Logan of the City of Powell; Robert Smith and Linda Orrell of the Homesteader Museum Board; and Ron Miller of the American Legion participated in the discussion. It was the consensus of the Board to come up with three alternatives and present them at a meeting in September to the City of Powell, the American Legion and the Museum Board.

Discussion - Copperleaf Well Use.

Linda Gillett, County Planner, and Gene Smith, Small Wastewater Administrator, came before the Board regarding well water usage by Copperleaf Subdivision. The agreement with Copperleaf Subdivision limits use of three wells to emergency use not to exceed 200 hours in any calendar year at a rate of 25 gallons per minute, for a total of no more than 300,000 gallons per year. The subdivision has exceeded that amount this calendar year. Oral comments were received from Earl McKinny and Ross Jorgenson. After a general discussion, it was the consensus of the Board that Linda Gillett prepare a letter to Copperleaf Subdivision regarding the excess water usage.

Adjournment.

There being no further business to come before the Board, it was moved by Commissioner Tilden, seconded by Commissioner Burke and unanimously carried to adjourn the meeting.

Bucky Hall, Chairman

Dave Burke, Vice Chairman

Loren Grosskopf, Commissioner

Joe Tilden, Commissioner

Tim French, Commissioner

Attest:

Jerri B. Torczon, County Clerk