

**Park County Board of County Commissioners
February 15, 2011
Regular Meeting**

A regular meeting of the Park County Board of County Commissioners was held on February 15, 2011. Present were Chairman Bucky Hall, Commissioners Loren Grosskopf, Dave Burke, Joe Tilden, Tim French, County Clerk, Jerri Torczon and Deputy County Clerk Suzanne Cook.

Chairman Bucky Hall called the meeting to order. Deputy County Clerk Suzanne Cook led the audience in the pledge of allegiance.

Expenditure Update of Title III Forest Reserve Funds.

Jon Sheets, General Manager of Sleeping Giant Ski Area, and Bryant Hall, Board Member of the Yellowstone Recreations Foundation presented an expenditure report for the Forest Reserve Funds. Funds were used to treat approximately 26 acres of the ski area, including removal of bug infested trees, dead and dying trees, down fall trees and ground fuels, striving to attain and maintain a six to ten inch ground variance, reducing the chance of a crown forest fire, which is essential in keeping a wild fire near the ground.

Funds totaling \$44,820.00, approved on July 6, 2010, were spent for heavy equipment contractor, in the amount of \$10,055.00; for hand labor contractor, in the amount of \$13,000.00; for labor payroll, in the amount of \$14,189.38; and for fuel/felling supplies, in the amount of \$7,548.62. It was reported that with the snowfall, Sleeping Giant was able to open a month earlier this year, and the last day of skiing is expected to be April 3, 2011.

Approval of Minutes.

The minutes of the regular meeting held February 8, 2011 were presented to the Board for consideration. After a general discussion, it was moved by Commissioner French, seconded by Commissioner Tilden and unanimously carried to approve the minutes as presented.

Homesteader Museum Property Acquisition.

Linda Orrell, President of the Park County Museum Board, along with Robert Smith and Phyllis Preator, came before the Board requesting Commissioner action on acquiring the property and building that houses the Homesteader Museum. President Orrell reported on the history, stating that the land was originally deeded to the Town of Powell by the federal government to be used for public use. The land was leased to the American Legion in 1934 for a period of 99 years. The American Legion owns the buildings, including the log building which houses Homesteader Museum. The American Legion leased the log building to the Park County Museum Board on May 1, 1976 and the lease was renewed in 1996. The City of Powell pays for the electricity and water. The gas bill is paid for by the Museum Board and the buildings and contents are insured by Park County. Park County has maintained the log building and owns the artifacts and collections. The original lease between the Town of Powell and the Legion expires on October 1, 2033, and the buildings shall become the property of the Town of Powell.

In 2008, the Board of County Commissioners directed the Park County Attorney to negotiate acquisition or lease of the Homesteader Museum building from the American Legion Post 26 and to negotiate acquisition or lease of the land on which the building stands from the City of Powell. After a general discussion, the general consensus of the Board is to move forward with negotiations for acquisition.

Linda Bortels Appeal.

A hearing was held on the appeal of Linda Bortels residing at 301 Stagecoach Trail regarding the Planning Director's Similar Use Determination for horse boarding facility as cottage industry. County Planner Linda Gillett reported that horse boarding is not specifically addressed as a use in the zoning regulations. Horse boarding is classified as a commercial use as proposed within the definitions, however the property is residential, and does not meet the agricultural classification, as the

property is less than 35 acres and has no agricultural income. This use may be considered an accessory use (requiring a zoning permit only), major home occupation (requiring a zoning permit) or cottage industry (requiring a special use permit). Ms. Bortels reported that there are existing facilities, no additional facilities will be built and boarding of horses will occur mostly during the summer and early fall.

After a general discussion, it was moved by Commissioner French and seconded by Commissioner Tilden to approve a resolution reversing the decision of the Planning Director, not requiring a permit and waiving the \$25.00 fee. Roll was called with Commissioner French and Commissioner Tilden voting aye and Commissioner Burke and Commissioner Grosskopf voting against the motion. It was then moved by Commissioner Burke and seconded by Commissioner Grosskopf to approve a resolution reversing the decision of the Planning Director, requiring a zoning permit as a major home occupation, and waiving the permit fee. Roll was called with Commissioner Burke and Commissioner Grosskopf voting aye and Commissioner French and Commissioner Tilden voting against the motion. Chairman Bucky Hall voted in favor of the motion and **RESOLUTION NO. 2011 – 06 REVERSE DECISION OF PLANNING DIRECT ON APPEAL FOR SEASONAL HORSE BOARDING FACILITY AS COTTAGE INDUSTRY** was approved.

Approval of Bills.

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

Payee	Amount
A V CENTER	\$1,869.00
ALDRICH LUMBER – POWELL	\$158.73
ALLTEL COMMUNICATIONS LLC	\$1,096.45
AMERICAN WELDING & GAS INC	\$42.06
ANTLER RANCH INC	\$2,288.00
AT CONFERENCE	\$15.45
BARROWS, MARY MEYERS	\$725.00
BEAR CO INC.	\$1,270.16
BEARTOOTH ELECTRIC COOP	\$116.38
BIG HORN COOP MARKETING ASSN	\$32.98
BIG HORN ENERGY, INC.	\$1,336.15
BIG HORN REDI-MIX, INC.	\$13,555.55
BIG HORN RURAL ELECTRIC COMPANY	\$367.16
BIG HORN WHOLESALE, INC.	\$2,033.13
BILLINGS GAZETTE, INC. - SUBSCRIPTIONS	\$248.35
BLACK BOX NETWORK SERVICES	\$6.50
BLANKENSHIP QUALITY CONCRETE LLC	\$13,140.00
BOONES MACHINE	\$100.19
BRADFORD SUPPLY CO.	\$103.40
BRAZELTON, LILLIAN	\$30.00
BRESNAN COMMUNICATIONS	\$159.96
BUCK N HORSE ELECTRIC INC	\$876.38
C & C WELDING, LLC	\$1,328.26
CAMPBELLS REPAIR & COLLISION	\$22.99
CAROLINA SOFTWARE	\$202.00
CARQUEST OF CODY WY #3106	\$590.98
CDW GOVERNMENT, INC.	\$286.58
CHOICE AVIATION LLC	\$215.78
CODY ACE HARDWARE	\$499.21
CODY CHIROPRACTIC CENTER	\$170.00
CODY CONSERVATION DISTRICT	\$99,785.31
CODY COUNTRY PRINTING	\$154.00
CODY ENTERPRISE	\$225.99
CODY OVERHEAD DOOR CO.,LLC	\$220.00
CODY WINNELSON CO.	\$473.59
CODY, CITY OF	\$18,738.15
COE PHARMACY	\$70.59
COMMUNICATION TECHNOLOGIES	\$265.00
CONNERS, MICHAEL	\$57.42

COPENHAVER, KATH, KITCHEN & KOLPITCKE	\$580.00
CORRECTIONAL HEALTHCARE MANAGEMENT INC	\$31,466.34
COWAN CONSTRUCTION, INC	\$151,565.40
CRISIS INTERVENTION SERVICES	\$1,257.08
CRUM ELECTRIC SUPPLY CO.	\$107.20
DE HAAN ELECTRONICS	\$466.40
DELL MARKETING CORP.	\$1,421.18
DENNYS GUNS & MAPS	\$36.95
DERRIK WALTON DDS & DARREN J RUESCH DDS	\$391.00
ELECTRONIC DATA SOLUTIONS	\$590.00
ELLIOT RIVERS PUBLISHING CO	\$45.00
ENERGY LABORATORIES, INC	\$1,050.00
ENERGY WEST - WYOMING	\$15,719.17
ETSCORN, FRANK T	\$107.36
FASTENAL	\$28.02
FBI COMMAND COLLEGE	\$1,600.00
FED EX	\$54.28
FITZWATER, VICKIE	\$79.56
FUEL DEPOT, INC.	\$4,082.79
GALLS INCORPORATED	\$1,932.41
GARLAND LIGHT & POWER CO.	\$1,761.06
GARYS VACUUM & STAMPS	\$45.95
GATES, SHARON	\$140.00
GENERATION X, INC.	\$1,156.00
GINEST, MEL D.D.S.	\$800.00
GLOBALSTAR USA, INC.	\$63.10
GRAINGER	\$95.00
GROATHOUSE CONSTRUCTION INC	\$4,885.00
HERITAGE BAKERY	\$140.00
HOLDINGS LITTLE AMERICA	\$1,521.77
INTERSTATE BRANDS CORPORATION	\$281.88
INTERSTATE TIRE SERV. INC	\$868.20
JACKS TRUCK & EQUIPMENT, INC.	\$14.04
JAMIESON, M.D., CHARLES E	\$1,500.00
JONES ENGINEERING & SURVEYING, PC	\$6,447.20
JRS TOWING & REPAIR	\$120.00
KEEFER, ELIZABETH	\$202.74
KEEGAN & WINSLOW P.C.	\$973.33
KEELE SANITATION	\$900.00
KENCO SECURITY AND TECHNOLOGY	\$254.25
KRISJANSONS, BRIGITA S.	\$400.00
LARSEN RANCH CO	\$2,288.00
LEON UNIFORM COMPANY, INC.	\$930.00
LINTONS BIG R, INC.	\$18.81
LOWTHER, CHRISTOPHER M.D.	\$110.00
MAJESTIC LUBE, INC.	\$97.40
McCUMBER LOCKSMITH SHOP	\$24.75
McINTOSH OIL, INC.	\$16,380.55
MEDIBADGE, INC.	\$63.45
MEDICAL CENTER PHARMACY	\$318.59
MEETEETSE CONSERVATION DISTRICT	\$25.00
MEETEETSE VISITOR CENTER	\$3,262.50
MEETEETSE, TOWN OF	\$100.70
MICKELSON, JOSEPH D	\$171.36
MIDWEST FENCE COMPANY	\$960.00
MILES, SARAH N,	\$1,144.96
MONTANA-DAKOTA UTILITIES CO.	\$1,261.76
MOORE, LEONARD D.D.S.	\$1,020.00
MOTOR PARTS, INC.	\$172.57
MOTOROLA	\$28,822.50
MOUNTAIN WEST BUSINESS SOLUTIONS	\$118.50
NAPA AUTO PARTS	\$2.67
NATIONAL BUSINESS SYSTEMS, INC	\$426.69

NATIONAL SHERIFFS ASSOCIATION	\$1,288.00
NATRONA COUNTY ATTORNEY	\$3,026.25
NEMONT	\$46.63
NORTHWEST RIVER SUPPLIES, INC.	\$1,296.30
NORTHWEST RURAL WATER DISTRICT	\$70.04
NORTHWEST SIGN RECYCLING LLC	\$918.02
OFFICE SHOP, THE	\$3,460.75
PARDUBA, TAMMY	\$24.48
PARK CO EMPLOYEE BENEFITS TRUST	\$308.25
PAVEMENT MAINTENANCE, INC.	\$25,987.50
PENWELL, STEVE	\$66.58
PETERBILT OF WYOMING	\$1,200.00
PILCH ENGINEERING & SURVEYING	\$8,646.00
POSTMASTER, CODY WY	\$100.00
POWELL DRUG, INC.	\$2.00
POWELL OFFICE SUPPLY, INC.	\$719.14
POWELL TRIBUNE, INC.	\$460.20
POWELL VALLEY CLINIC	\$66.00
POWELL VALLEY HARDWARE	\$235.78
POWELL VALLEY HEALTHCARE, INC.	\$200.00
POWELL, CITY OF	\$1,222.24
PRODUCTION MACHINE CORP.	\$1,773.56
PROSPECTOR ENGINEERING SERVICES	\$300.00
PSS WORLD MEDICAL INC	\$118.61
PUBLIC SAFETY CENTER INC	\$248.46
QUARTERMASTER, INC	\$51.87
QUILL	\$102.82
QWEST	\$10,149.40
RED BARN	\$164.07
RED EAGLE FOOD STORES	\$680.73
RED EAGLE OIL COMPANY, INC.	\$29,917.53
REITER CONSTRUCTION LLC	\$16,000.00
RIMROCK TIRE CO - CODY	\$319.90
RIMROCK TIRE CO - POWELL	\$6,656.84
ROCKY MOUNTAIN POWER	\$1,482.75
ROCKY MOUNTAIN WINDSHEILD CO	\$60.00
ROGERS SPORT CENTER	\$958.69
RUTTS INC/AQUA SYSTEMS OF MT	\$275.00
S & S AUDIO-VIDEO, INC.	\$12.98
SAGE CIVIL ENGINEERING, INC.	\$4,454.00
SATCOM GLOBAL FZE	\$44.99
SCHLENKER, DAVID	\$54.95
SHOSHONE OFFICE SUPPLY, INC.	\$384.90
SIMPSON, WILLIAM L	\$400.00
STOTT PAINTING	\$5,111.88
STROHS INDUSTRIAL LUBRICATION	\$440.00
STROUPE PEST CONTROL, CO.	\$95.00
SUPERIOR MACHINE CO.	\$141.61
SYSCO FOOD SERVICES OF MONTANA	\$2,269.74
TCT WEST, INC	\$1,763.67
TECHNICAL ENTERPRISES CORP	\$210.00
TRACTOR & EQUIPMENT CO	\$140.73
TWO MEDICINE	\$1,421.00
TWO TOUGH GUYS SERVICES	\$691.42
UPS STORE, THE	\$10.93
UW COOPERATIVE EXTENSION SER.	\$89.00
VERIZON WIRELESS	\$200.35
W.P.O.A.	\$500.00
WACERS	\$25.00
WEST PAYMENT CENTER	\$486.62
WOODWARD TRACTOR & RENTAL, INC	\$271.75
WPCI CONSULTANTS, INC.	\$139.50
WYOMING COUNTY COMMISSIONERS	
ASSN	\$475.00
WYOMING DEPARTMENT OF EMPLOYMENT	\$125.09
WYOMING DEPT OF ENV QUALITY - WQD	\$2,400.00

WYOMING DEPT OF TRANS - ACCOUNTING	\$664.25
WYOMING SECRETARY OF STATE – NOTARY	\$30.00
WYOMING STATE BAR	\$174.00
YELLOWSTONE BEHAVIORAL HEALTH	\$621.23

TOTAL \$598,201.23

Letter of Support – Yellowstone Behavioral Health Center.

Dr. Alice Russler, Director of Yellowstone Behavioral Health Center came before the Board requesting a letter of support as part of the Fiscal Year 2012 funding application with their state contract. Dr. Russler also presented a 2010 statistical report showing that they served 1,243 consumers, consisting of 35,414 service hours and utilizing 35 full-time staff. After a general discussion, it was moved by Commissioner French, seconded by Commissioner Tilden and unanimously carried to write and submit a letter of support for Yellowstone Behavioral Health in their state funding application.

Meeteetse Law Enforcement Agreement.

Sheriff Scott Steward came before the Board requesting approval of the law enforcement agreement between Park County and the Town of Meeteetse. Sheriff Steward reported that this agreement is the same as previously approved by the Commissioners for the past two years, providing for two deputies to be maintained in the Meeteetse for law enforcement coverage, outlining the services offered and payment of services in the amount of \$22,000.00. After a general discussion, it was moved by Commissioner Burke, seconded by Commissioner Tilden and unanimously carried to approve the agreement as presented.

Approval of Bond.

Treasurer Barb Poley presented bonds for Commissioners' consideration. It was moved by Commissioner Tilden, seconded by Commissioner Burke and unanimously carried to approve the bond for Larry F. Rankine, Treasurer - Park County Fire District #3, in the amount of \$10,000.00.

Approval of Tax Rebates.

Treasurer Barb Poley presented tax rebates for Commissioner's consideration. It was moved by Commissioner French, seconded by Commissioner Tilden and unanimously carried to approve tax rebates to Howell Petroleum Corporation in the amounts of \$16,287.00, \$14,373.80, \$38,365.40, and \$37,579.00, to be paid over a five year period, and to approve and promptly pay rebates in the amounts of \$200.48, \$2.69, and \$201.71.

Forman Minor Subdivision.

Becky Conrad, Planning Assistant, presented the Commissioners with a request for a time extension for the final plat approval of the Forman Minor Subdivision. A letter from Meinecke Engineering was also presented regarding the request which stated that they are waiting for water permits to be issued by the Wyoming State Engineer's Office. It was moved by Commissioner Burke, seconded by Commissioner Grosskopf and unanimously carried to approve the extension as requested.

Recess.

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

Public Hearing - Liess Minor Subdivision.

A public hearing was held on the Liess Minor Subdivision. Commissioner French recused himself from the meeting because he is an adjoining landowner. Linda Gillett, County Planner, and Becky Conrad, Planning Assistant presented the findings of fact, conclusions and recommendations to the Commissioners. The

subdivision would create a three lot minor subdivision for single family residential use consisting of 13.18 acres, 11.18 acres and 11.04 acres from 35.4 acres with a variance to install utility service connections. The location of the property is at the junction of Road 22 and Lane 11. There are overhead electrical lines along Road 22. Comments were received from Mike Collier, County Project Manager, and Steve Folweiler, an engineer with Holm, Blough & Company. It was moved by Commissioner Tilden, seconded by Commissioner Burke and unanimously carried to close the public hearing.

Liess Minor Subdivision.

After a general discussion, it was moved by Commissioner Burke, seconded by Commissioner Grosskopf, with a unanimous vote of those present, to approve **RESOLUTION No. 2011 – 07 APPROVAL OF SKETCH PLAN OF THE LIESS MINOR SUBDIVISION-10.**

It was then moved by Commissioner Grosskopf, seconded by Commissioner Tilden, with a unanimous vote of those present, to approve **RESOLUTION NO. 2011 - 08 APPROVAL OF VARIANCE TO THE PARK COUNTY DEVELOPMENT STANDARDS AND REGULATIONS CH. III, SEC.3.F.(2), REQUIREMENT TO INSTALL UTILITY SERVICE CONNECTIONS FOR LIESS MINOR SUBDIVISION-10.**

Commissioner French returned to the meeting.

Airport Hangar Discussion.

A general discussion was held regarding the airport hangar with Sheriff Scott Steward. Commissioner French stated that the matter was previously discussed in a work session and that the commissioners did not want to heat the hangar. Sheriff Steward reported that he was not aware of the previous discussions between the Commissioners and staff and that the heating installation had been completed without his knowledge. Sheriff Steward reported that the heating would be paid for by Search and Rescue funds and that he will get with the airplane manufacturer to see what temperature is recommended for keeping the airplane during the winter months.

Park County Travel Council.

Commissioners interviewed Michael Bree, Jerry Kinkade, John Parsons, and Penny Preston for an at-large appointment to the Park County Travel Council. Rick Hoeninghausen is currently the incumbent representing the Yellowstone National Park Representative and was not interviewed. Following the interviews, it was moved by Commissioner Burke, seconded by Commissioner French and unanimously carried to nominate Rick Hoeninghausen as the Yellowstone National Park Representative and Jerry Kinkade to the Park County Travel Council for three year terms beginning March 1, 2011.

Jim Mountain Road Update.

Alex Gisoldi, a resident of Wapiti Heights Subdivision came before the Commissioners expressing concern over the condition of Jim Mountain Road. Mr. Gisoldi reported that the road provides access to the subdivision and public access to trailheads and the Shoshone National Forest, as well as providing access for first responders and Search and Rescue operations, such as in the Gun Barrel Fire. Mr. Gisoldi reported that the road is in dangerous disrepair and has become a safety hazard to both residents and the public. Comments were also received from residents Pat Montgomery and Brad Holland and Steve Brock, with the Shoshone Chapter of Backcountry Horsemen regarding the condition of the road. It was the consensus of the Commissioners to plan a tour of the road in the near future.

Payroll.

Payroll vouchers were presented to the Commissioners for their consideration. It was moved by Commissioner Grosskopf, second by Commissioner Burke and unanimously carried to approve the February 3, 2011 payroll in the amount of \$461,462.40, and the February 4, 2011 payroll, in the amount of \$72,951.74.

Work Session – National Incident Management System.

Martin Knapp, Park County Homeland Security Coordinator, came before the Commissioners regarding the required training for National Incident Management System compliance. Mr. Knapp reported that the Commissioners will need to take training necessary to learn the standardized procedures during an emergency, as required for Homeland Security, and stated that he is qualified to teach the classes. It was the consensus of the Commissioners that they would be willing to take the training as outlined.

Executive Session.

It was moved by Commissioner Tilden, seconded by Commissioner French and unanimously carried to go into Executive Session, pursuant to Wyoming Statute pursuant to W.S. 16-4-405(a)(ix), matters confidential by law.

It was moved by Commissioner Grosskopf, seconded by Commissioner Tilden and unanimously carried to go out of executive session.

Framework From Mediation.

It was moved by Commissioner French, seconded by Commissioner Grosskopf and unanimously carried not to adopt the framework brought forth in medication outlined in the executive session.

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.

Bucky Hall, Chairman

Dave Burke, Vice Chairman

Loren Grosskopf, Commissioner

Joe Tilden, Commissioner

Tim French, Commissioner

Attest:

Jerri B. Torczon, County Clerk