

**Park County Board of County Commissioners
March 1, 2011
Regular Meeting**

A regular meeting of the Board of County Commissioners of Park County, Wyoming, was held Tuesday, March 1, 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 Peggy Ruble, Executive Assistant, led the audience in the pledge of allegiance.

Review Simpson Private Road Second Amended Petition.

James Davis, Deputy County Attorney, and attorneys Colin Simpson and Andrea Earhart came before the Board regarding the Simpson Private Road Second Amended Petition. The original petition was filed in 2008 in the name of Peter K. and Lynn L. Simpson and previously amended for clarification purposes. The second amended petition includes the name of Bobcat Legacy, LLC. The petitioners and the primary landowner, Mariposa, LLC, whose land the road would cross, have been in negotiations. The petitioners, each owning contiguous 40 acre tracts, are landlocked by virtue of the surrounding property and the potential flooding on Ishawooa Creek. Bond in the amount of \$5,000.00 has been received. Andrea Earhart, on behalf of her client, filed a Motion to Dismiss Second Amended Petition for Establishment of Private Road and Motion to Strike Exhibits E and F. The statutes do not state whether a joint petition can or cannot be filed. Colin Simpson, on behalf of the petitioners, stated that the properties are contiguous and it would save everyone time and money to file a joint petition. Andrea Earhart presented oral comments on the motion to dismiss.

After a general discussion, it was moved Commissioner Tilden, seconded by Commissioner French and unanimously carried to redact the monetary amounts specified in Exhibits E and F of the second amended petition. It was then moved by Commissioner Tilden, seconded by Commissioner Grosskopf and unanimously carried to deny the Motion to dismiss. It was then moved by Commissioner Tilden, seconded by Commissioner Burke and unanimously carried to reflect that the amended petition complies with the statutory requirements, to set this matter for a contested case hearing on June 8, 2011 at 9:00 a.m. in the Commissioners' Chambers and to appoint Randy Royal as Presiding Officer.

Commissioner Tilden Update on Wildlands Meeting.

Commissioner Joe Tilden, on behalf of the Park County Commissioners, attended the Wildlands Meeting in Salt Lake City regarding Secretary of Interior Salazar's Order No. 3310 and gave a review of the meeting. Order 3310 directs the Bureau of Land Management to update an inventory of lands that may have wilderness characteristics. In the order, there is a new classification of lands, which is called "wildlands". Commissioner Tilden stated that there was representation at the meeting from Wyoming, Utah, Idaho, Arizona, Nevada, New Mexico and Arizona. Commissioner Tilden stated that letters have been written asking the Secretary of Interior to rescind the order. He reported that testimony is also being given in Congress regarding the economic impacts Order 3310 will have on Wyoming.

Update and Discussion of Bureau of Land Management Resource Management Plan.

Commissioner French gave an update of the Bureau of Land Management Resource Management Plan. Commissioner French stated that the four counties in the Big Horn Basin and conservation districts have been in active negotiations with BLM regarding the Resource Management Plan. Commissioner French commented that the lands with wilderness characteristics don't meet the BLM's own definition of wilderness characteristics and the Commissioners and conservation districts are trying to get the point across that areas with pipelines, oil wells and miles of improved roads on public lands should not be classified as wilderness areas. The draft Resource Management Plan has not yet been distributed so public comment has not occurred. Commissioner French said that the inventory has been done, but disagreement exists on how they came up with designating nearly 570,000 acres as

wilderness. Commissioner French stated that there is a big fear that BLM can hold up any livestock fence or cattle reservoir improvement on public grazing land until they look at the entire inventory of six million acres. Commissioner French stated that the County's contention is that the Bureau of Land Management has overreached multiple use lands with wilderness consideration. Commissioner French stated that we want everyone to have good information, especially when you have oil and gas leases. Commissioner Tilden stated that the BLM Resource Plan and Secretarial Order 3310 are running parallel and the point in question is the wildlands designation.

Update and Discussion U.S. Forest Service Plan Revision for Shosone National Forest.

Chairman Hall reported that the U.S. Forest Service meeting will be held on Thursday in Thermopolis and that an update and discussion will be held at the next meeting.

Bear Wise Community Update.

Tara Taeschner and Mark Bruscano of the Wyoming Game and Fish Department gave an update of the Bear Wise Community Project. Tara Taeschner reported that in the last five years, there have been 476 bear conflicts with Park County. Of those conflicts, 87% have involved grizzly bears and 13% have involved black bears. Conflicts include any interaction between bears and humans, such as property damage, bears receiving a food reward, livestock deprivations, damage to bee hives, or interaction that results in human or animal injury or death. The objective of the program is to minimize human bear conflicts and safeguard the human community.

Malt Beverage Permit – Cody Youth Baseball Fundraiser.

Fred Bronnenberg, representing Cody Youth Baseball, came before the Commissioners requesting a malt beverage permit for the Double Doc Baseball Fundraiser to be held on April 8, 2011, at 117 Sunset Rim, Cody, Wyoming. After a general discussion, it was moved by Commissioner Tilden, seconded by Commissioner French and unanimously carried to approve the Malt Beverage permit as requested. The \$25.00 application has been received.

Approval of Bonds.

Treasurer Barb Poley presented bonds for Commissioners' consideration. It was moved by Commissioner Burke, seconded by Commissioner Tilden and unanimously carried to approve bonds for H. Lee Gillett, Member at Large - Shoshone Project Joint Powers Board, in the amount of \$5,000.00; for Travis Jackson, Commissioner - Heart Mountain Irrigation District, in the amount of \$5,000.00; for Edna L. Myers, Treasurer – Meeteetse Recreation District, in the amount of \$5,000.00; for Robert R. Parsons, Treasurer - Park County Weed and Pest Control District, in the amount of \$50,000.00; and for Alan Swenson, Treasurer - West Park Hospital Board, in the amount of \$25,000.00.

Approval of Minutes.

The minutes of the regular meeting held February 15, 2011 were presented to the Board for consideration. After a general discussion, it was moved by Commissioner Burke, seconded by Commissioner Tilden and unanimously carried to approve the minutes as presented.

Approval of Bills.

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

Payee	Amount
ALBERTSONS PURCHASE ADV. CARD	\$261.32
ALDRICH LUMBER - POWELL	\$90.99
AMERICAN WELDING & GAS INC	\$136.49
BAILEY, NANCY L	\$83.16

BAR T ELECTRIC INC	\$1,850.00
BEAR CO INC.	\$535.57
BECK CONSULTING	\$5,775.00
BELL, KEITH	\$40.00
BIG HORN CARPET ONE, INC.	\$338.60
BIG HORN ENERGY, INC.	\$634.45
BIG HORN HORTICULTURAL, INC.	\$2,670.00
BIG HORN TIRE RECYCLING	\$14,116.25
BIG HORN WHOLESALE, INC.	\$1,343.10
BILLINGS CLINIC	\$156.00
BILLINGS GAZETTE, INC.	\$1,797.00
BLAKEMAN PROPANE - CODY	\$3,514.06
BLATT, TIMOTHY J.	\$91.80
BOONES MACHINE	\$9.64
BRESNAN COMMUNICATIONS	\$399.90
BULLBERRY SYSTEMS, INC.	\$15,450.00
CAMPBELLS REPAIR & COLLISION	\$184.95
CARQUEST OF CODY WY #3106	\$4,607.31
CARQUEST OF POWELL	\$1,071.90
CDW GOVERNMENT, INC.	\$3,428.33
CODY ACE HARDWARE	\$234.42
CODY, CITY OF	\$2,391.96
COOK MOVING & STORAGE	\$21,092.00
COPENHAVER, KATH, KITCHEN & KOLPITCKE	\$50.00
COULTER CAR CARE CENTER	\$49.50
CRUM ELECTRIC SUPPLY CO.	\$30.72
CUMMINS ROCKY MOUNTAIN LLC	\$207.92
CURTS CARS	\$650.74
CUSTOM DELIVERY SERVICE INC	\$12.41
DELL MARKETING CORP.	\$2,368.27
DENNYS GUNS & MAPS	\$1,972.68
DERRIK WALTON DDS & DARREN J RUESCH DDS	\$380.00
EMERGENCY COMMUNICATIONS NETWORK	\$15,000.00
ENERGY WEST - WYOMING	\$5,280.30
ENGINEERING ASSOCIATES	\$477.70
ETSCORN, FRANK T	\$54.95
FASTENAL	\$4.96
FLACK, TOM	\$75.00
FONTAINE, MARIE A	\$75.00
FOOD CLOSET, THE	\$650.00
FRENCH, TIM A	\$793.66
HANSON CHEMICAL INC.	\$253.68
HOLDINGS LITTLE AMERICA	\$713.67
HONNEN EQUIPMENT CO.	\$3,513.08
HOWARD, FRED L	\$91.32
HUNTER, DIXIE	\$10.40
INTERSTATE BATTERIES	\$235.90
INTERSTATE BRANDS CORPORATION	\$226.88
INTERSTATE TIRE SERV. INC	\$256.41
IVERSON SANITATION	\$50.00
JAMIESON, M.D., CHARLES E	\$1,500.00
JL ENGINEERING LLC	\$7,085.02
KAHL, DICK L.	\$910.00
K-B COMMERCIAL PRODUCTS	\$4,361.30
LEON UNIFORM COMPANY, INC.	\$263.00
LINTONS BIG R, INC.	\$267.05
LOEPER, JESSICA	\$2,365.00
LYLE SIGNS, INC.	\$1,811.10
MAJESTIC LUBE, INC.	\$259.70
MANNAHOUSE	\$1,775.00
MATRIX	\$924.50
McCUMBER LOCKSMITH SHOP	\$8.60
MEETEETSE SENIOR CITIZENS	\$2,500.00
MERITAIN HEALTH	\$1,236.25
MKK CONSULTING ENGINEERS, INC	\$4,612.75

MONTANA RADIATOR WORKS, INC.	\$142.00
MONTANA-DAKOTA UTILITIES CO.	\$825.92
MOORE, LEONARD D.D.S.	\$835.00
MOTOR PARTS, INC.	\$408.70
MOTOROLA	\$75.65
NAPA AUTO PARTS	\$141.46
NORCO INC	\$40.16
OMB GUNS	\$868.00
PAMIDA, INC.	\$378.98
PARK COUNTY LIBRARY SYSTEM	\$130.13
PETERBILT OF WYOMING	\$363.19
PILCH ENGINEERING & SURVEYING	\$4,960.00
POWELL ELECTRIC, INC.	\$16.41
POWELL LOCKS & SECURITY	\$55.00
POWELL OFFICE SUPPLY, INC.	\$900.15
POWELL VALLEY HARDWARE	\$233.94
POWELL, CITY OF	\$1,335.16
PRESTON, LYNELL K	\$19.38
PRODUCTION MACHINE CORP.	\$1,607.48
QWEST BUSINESS SERVICES	\$4.99
RED BARN	\$352.33
RED EAGLE OIL COMPANY, INC.	\$3,373.12
REED, RONALD G.	\$17.67
ROCKY MOUNTAIN POWER	\$1,897.69
ROCKY MOUNTAIN SPORTS	\$657.86
ROCKY MOUNTAIN WINDSHEILD CO	\$285.00
ROTECH HEALTHCARE INC	\$12.50
SATCOM GLOBAL FZE	\$44.99
SHELL FLEET PLUS, INC.	\$42.50
SHOSHONE OFFICE SUPPLY, INC.	\$1,276.26
SHREVE & ASSOCIATES	\$3,321.32
SIGGINS, ALAN	\$105.60
SKORIC, BRYAN	\$420.33
SYSCO FOOD SERVICES OF MONTANA	\$1,850.30
TAYLOR, DAVID D.D.S.	\$200.00
TESSCO INC	\$127.86
TILDEN, JOSEPH E.	\$38.64
TITAN MACHINERY	\$346.77
TMDE CALIBRATION LABS, INC	\$79.75
TNT SPRINGS INC	\$82.36
TRACTOR & EQUIPMENT CO	\$2,826.25
U.S. MERCHANT SYSTEMS, LLC	\$1,175.00
VERIZON WIRELESS	\$403.91
VISA	\$925.89
VISA - FIRST NATIONAL BANK & TRUST	\$4,577.42
VISIONARY COMMUNICATIONS INC	\$77.39
WAL MART COMMUNITY/GEMB	\$3,423.79
WCADVSA	\$75.00
WEBSTER MOTORS, INC.	\$57.20
WEST PAC INDUSTRIES	\$563.68
WEST PARK HOSPITAL	\$171.80
WESTERN STATES INS - BOZEMAN	\$5,000.00
WHOLESALERS KNOWLEDGE	\$413.95
WIRELESS ADVANCED COMMUNICATIONS INC	\$45,253.80
WOODWARD TRACTOR & RENTAL, INC	\$265.05
WYOMING - DEPARTMENT OF EMPLOYMENT	\$21,264.10
WYOMING DEPARTMENT OF AGRICULTURE	\$25.00
WYOMING LAW ENFORCEMENT ACADEMY	\$284.00
WYOMING STATE BAR	\$360.00
WYOMING TACTICAL SUPPLY	\$12.99
YELLOWSTONE REGIONAL AIRPORT	\$60,252.00

TOTAL - 3/1/11 \$320,951.39

Approval of Payroll.

Payroll totals for February 18, 2011, totaling \$322,759.87 were presented to the Commissioners for their consideration. It was moved by Commissioner Grosskopf, seconded by Commissioner French and unanimously carried to approve payroll as presented.

Financial Disclosure Statements.

Chairman Bucky Hall, Commissioners Grosskopf, Burke, Tilden and French, Treasurer Barb Poley and Clerk Jerri Torczon presented Financial Disclosure Forms for the financial institutions designated as depositories for 2011.

Recess.

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

Executive Session.

It was moved by Commissioner Grosskopf, seconded by Commissioner Tilden 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.

Martin Knapp – Park County Homeland Security Coordinator.

Martin Knapp, Park County Homeland Security Coordinator, came before the Commissioners regarding training for the National Incident Management System. It was the consensus of the board to take the two classes in one day, preferably on March 22 at 9:00 a.m. Alternate dates included March 23, March 29, and March 30. Mr. Knapp will call other agencies and let the Commissioners know when the training will occur.

The designation of Public Information Officer for Homeland Security was brought before the Board for possible applicants. Various names were presented and Martin Knapp will be contacting the individuals prior to interviews being held by the Commissioners.

Travel Council Update & Clarification.

Kenny Gasch, April Rodriguez and Hamilton Bryant of the Park County Travel Council came before the Board to provide Commissioners an update. The Council is composed of ten members, two from Cody, two from Powell, one from Meeteetse, three County appointees, one from Yellowstone and one from the State Division of Travel and Tourism. The Travel Council cannot give money to private enterprise, but can expend funds for promoting and advertising events that are held in Park County. The Commissioners thanked the Council for their efforts in promoting Park County.

Park County Predator Management Advisory Board.

Commissioners interviewed Lee Livingston and Tim Metzler for a three-year term as the Sportsman/Hunter Representative on the Park County Predator Management Advisory Board. Following the interviews, written ballots were received from the Board and Lee Livingston was appointed to fill the term.

Authorization of Chair to Sign.

It was moved by Commissioner Burke, seconded by Commissioner Tilden and unanimously carried to authorize the Chairman to sign the Order on Review of Second Amended Petition and Establishing Date for Necessity Hearing on the Simpson Private Road Petition. It was moved by Commissioner Grosskopf, seconded by Commissioner Tilden and unanimously carried to authorize the Chairman to sign the Order Appointing Randy Royal as Presiding Officer at the hearing.

Discussion - Title III Funds.

A general discussion was held regarding Title III Funds. The County has \$153,536 obligated in the Road & Bridge Department for road improvements. The Commissioners will be discussing in April which road improvements will be addressed.

Title III Certification of County Funds.

After a general discussion, it was moved by Commissioner Burke and seconded by Commissioner Tilden to authorize the Chairman to sign the Certification of Title III Funds, Secure Rural Schools and Community Self-Determination Act (Reauthorized). In January, the Commissioners authorized \$99,785.31 of Title III Funds to the Cody Conservation District under the Firewise Communities Program. Roll was called with Commissioner French casting a negative vote. Chairman Hall declared the motion carried by majority of the vote.

Schedule County Engineer Candidate Interviews.

A general discussion was held regarding the County Engineer applications. There have been ten applications received. It was the consensus of the Board to interview the top three or four applicants. The top applicants will be chosen at the Commissioner meeting on March 8, 2011 and interviews will be conducted at a scheduled time the week after.

Adjournment.

There being no further business to come before the Board, it was moved by Commissioner French, seconded by Commissioner Tilden 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