

**Park County Board of County Commissioners
May 17, 2011
Regular Meeting**

A regular meeting of the Board of County Commissioners of Park County, Wyoming, was held on Tuesday, May 17, 2011. Present were Chairman Bucky Hall, Commissioners Loren Grosskopf, Dave Burke, Joe Tilden, and Tim French and County Clerk Jerri Torczon.

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

Public Hearing – Liquor License Transfer - Blackwater Lodge.

A Public Hearing was held regarding the transfer of a retail liquor license from Blackwater Lodge, Inc. to Beale Properties, LLC, d.b.a. Blackwater Creek Ranch. Cole Bormuth, attorney for Beale Properties, stated that the transfer is based on the sale of the property and a renewal application for the liquor license will be handled separately next month. John Beale stated that he is currently in the process of opening the cabins at the lodge. No other comments were received. It was moved by Commissioner French, seconded by Commissioner Tilden, and unanimously carried to close the public hearing.

Transfer of Liquor License – Blackwater Lodge.

It was then moved by Commissioner Tilden, seconded by Commissioner French and unanimously carried to approve the transfer of the retail liquor license from Blackwater Lodge, Inc. to Beale Properties, LLC, d.b.a. Blackwater Creek Ranch.

Bid Opening – Property Insurance.

Dennis Spargur, Superintendent of Buildings and Grounds, opened the bids for Park County Property Insurance. The only bid received was from Wyoming Association of Risk Management (WARM), in the amount of \$89,654.00 for property insurance, and \$588.00 for Crime Coverage. Denise Freeman of WARM stated that the amounts reflected an approximate increase of 10%, which included an increase in property values with the addition of the new Park County Road and Bridge Shop in Powell. After a general discussion, it was moved by Commissioner French, seconded by Commissioner Tilden, and unanimously carried to award the bid to WARM and thanked the staff for their work in the bidding procedure.

Approval of Minutes.

Minutes of the May 10, 2011 meeting were presented to the Commissioners for their consideration. It was moved by Commissioner Burke, seconded by Commissioner Grosskopf and unanimously carried to approve the minutes as presented.

Approval of Payroll.

Payrolls for May 5, 2011, in the amount of \$73,372.39 and for May 12, 2011, in the amount of \$464,264.74 were presented to the Commissioners for their consideration. It was moved by Commissioner Tilden, seconded by Commissioner Grosskopf, and unanimously carried to approve the payrolls as presented.

Public Hearing – Variance – 30 Nielsen Trail.

A public hearing was held regarding the application of Jerry Kinkade, K3 Guest Ranch for a variance to the Park County Development Standards and Regulations Table 4-1 Schedule of Uses in Residential ½-Acre (R-H) Zoning District to allow a Dude Ranch and Heliport at 30 Nielsen Trail, within the NW ½ SE ¼ Lot 65, Sex. 11 (OS), T. 52N., R102W., 6th P.M., Park County, Wyoming.

Becky Conrad, Planner II, reported that the current zoning district does not allow Dude Ranch or Heliport uses, the surrounding land uses are residential and agricultural, and a request for a variance would require a special use permit. The

variance is requested for the expansion of an existing bed and breakfast operation. Dude Ranch activities will include trick horse show, picnic lunch, gun safety, target practice, archery and sustainability and survival course. A heliport is proposed in the center of a hay field 600' from the south property line and 600' south of the bed and breakfast. The anticipated use of the heliport would be approximately two times per year and the FAA is processing an application for the heliport.

Jerry Kinkade commented on the variance request and stated that he is trying to expand his existing bed and breakfast. He stated that his operation would not be a dude ranch, but rather a guest ranch. Mr. Kinkade stated that the heliport would be private and the surrounding hill would be noise abatement for helicopters. He stated they are taking special precautions for the shooting range, and will use low loads and have two certified range officers and \$3 million in liability insurance. Mr. Kinkade stated that they are not in the overlay of the airport and they are located on 33 acres.

Joe Hajba, of Chugwater Subdivision, stated that they do not want to hurt Kinkade's business, but that they do not want a helicopter. Dave Herrick of Chugwater Subdivision stated that helicopters would be a lot of interruption and stated he would not enjoy it very much. Bob Housel stated that he is concerned with the noise the dude ranch would have. Mr. Housel stated that the electric company flies helicopters over the power line and the helicopter is quite loud and stated that it would only take five minutes to pick up people at the airport. Mr. Housel stated that a helicopter would be disruptive for animals and is not silent by any means. Jacqueline Miner, residing in Chugwater Subdivision, stated she was opposed to a heliport because of the noise and stated that the property is too close to town to justify a heliport. Ken Quintiliani stated that he is concerned about the helicopters and the noise.

Mr. Kinkade stated that the heliport would be a grass landing strip and would have a 600' glide path, and the helicopters would be coming in from the east, southeast, which would be away from the neighbors to the west. Mr. Kinkade stated that it would be a private helipad, no one can land there without his authorization, and it would require personal written notice for anyone to land there.

Mr. Housel stated that he does not doubt Mr. Kinkade's sincerity about being a good neighbor, but is concerned that the next owner may not have the same dedication that Mr. Kinkade does, but the door would already be opened to allow expanded use of a heliport. Mr. Kinkade stated that the heliport is a way of building his business.

Commissioner Grosskopf stated that this is a variance hearing and that a special use permit would be required to allow for expanded use. It was moved by Commissioner Tilden, seconded by Commissioner Grosskopf and unanimously carried to close the public hearing.

Variance – 30 Nielsen Trail.

It was moved by Commissioner Tilden and seconded by Commissioner Burke to separate the two issues and to approve the variance for a Dude Ranch. Commissioner French stated that the applicant has asked for one request and the variance should not be divided. Roll was called on the motion with Commissioner French casting the only negative vote. The motion carried.

It was then moved by Commissioner Burke and seconded by Commissioner Tilden to approve the variance for the heliport. Roll was called with Commissioner French casting the only dissenting vote. The motion was carried and **RESOLUTION NO. 2011-18** APPROVAL OF A VARIANCE TO R-H ZONING REQUIREMENTS TO ALLOW A DUDE RANCH AND HELIPORT FOR JERRY KINKADE was approved.

Confirm March 15, 2011 Decision to Utilize Title III Forest Reserve Funds for Jim Mountain Trailhead.

Alex Gisoldi of Wapiti Heights Subdivision and Butch Parks with Wyoming Game and Fish came before the Commissioners and reported that a memo of agreement will be presented at the Wyoming Game & Fish Commission meeting in July, and that it is fully expected the memo will be approved with the Forest Service for assistance with road maintenance at the Jim Mountain Trailhead. Mr. Parks

stated that it is his understanding that the Game and Fish Department currently has not budgeted any funds for maintenance, but at least the agreement would be in place when money becomes available. Commissioner Burke stated that Title III funds will be spent on the upper portion of Jim Mountain Road on a one-time basis and does not assure any future maintenance. After a general discussion, it was moved by Commissioner Burke, seconded by Commissioner Tilden and unanimously carried to approve Title III Funds for payment of actual costs, up to \$153,000.00 for the Jim Mountain Trailhead for the purpose of fire protection.

Approval and Sign Clean Water State Revolving Fund Loan Documents with Office of State Lands and Investments for ARRA Funding for Park County Regional Landfill.

Tim Waddell, Solid Waste Manager, came before the Board regarding the Clean Water State Revolving Fund Loan Documents with the Office of State Lands and Investments for ARRA Funding for the Park County Regional Landfill. Mr. Waddell reported that he felt action should be tabled until the amounts could be verified. It was the consensus of the Board to table this item.

Bonds.

Treasurer Barb Poley presented bonds for the Board's consideration. It was moved by Commissioner Grosskopf, seconded by Commissioner Tilden and unanimously carried to approve bonds for Hamilton Bryan – Treasurer, Park County Travel Council, in the amount of \$50,000.00 and for Rhonda Campbell – Secretary-Treasurer, Heart Mountain Irrigation District, in the amount of \$5,000.00.

Approval of Bills.

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

| Payee | Amount |
|---------------------------------------|--------------|
| ALBERTSONS PURCHASE ADV. CARD | \$152.93 |
| ALLTEL COMMUNICATIONS LLC | \$1,825.52 |
| API SYSTEMS INTEGRATORS | \$230.00 |
| ARROWHEAD SCIENTIFIC, INC. | \$146.45 |
| AT CONFERENCE | \$11.61 |
| BALL, TRAVIS | \$17.33 |
| BARROWS, MARY MEYERS | \$42.25 |
| BEARTOOTH ELECTRIC COOP | \$118.97 |
| BIG HORN ENERGY, INC. | \$1,253.56 |
| BIG HORN GLASS | \$115.75 |
| BIG HORN PAINT, INC. | \$102.36 |
| BIG HORN RURAL ELECTRIC COMPANY | \$291.14 |
| BIG HORN WHOLESALE, INC. | \$2,325.58 |
| BIG SKY COMMUNICATIONS, INC. | \$374.00 |
| BILLINGS CLINIC | \$100.00 |
| BILLINGS CLINIC - REGISTRATION 8231 | \$200.00 |
| BLAIRS MARKET | \$18.00 |
| BLATT, TIMOTHY J. | \$73.44 |
| BLOEDORN LUMBER - CODY | \$25.05 |
| BOB BARKER COMPANY | \$113.39 |
| BOONES MACHINE | \$117.90 |
| BRESNAN COMMUNICATIONS | \$159.96 |
| CDW GOVERNMENT, INC. | \$10,773.95 |
| CENTURY COMPANIES, INC | \$280,000.00 |
| CLERK OF DISTRICT COURT - JURY FEES | \$2,456.89 |
| CODY ACE HARDWARE | \$920.81 |
| CODY ENTERPRISE | \$2,226.67 |
| CODY WINNELSON CO. | \$301.79 |
| CODY, CITY OF | \$2,147.86 |
| COMPUTER SOFTWARE ASSOCIATES, INC | \$128.25 |
| CONNERS, MICHAEL | \$76.39 |
| COPENHAVER, KATH, KITCHEN & KOLPITCKE | \$400.00 |

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|---------------------------------------|--------------|
| COULTER CAR CARE CENTER | \$144.50 |
| COUNTRY CORNER UPHOLSTERY | \$250.00 |
| COWAN CONSTRUCTION,INC | \$118,828.75 |
| CRISIS INTERVENTION SERVICES | \$1,257.08 |
| CRUM ELECTRIC SUPPLY CO. | \$1,052.06 |
| CUSTOM DELIVERY SERVICE INC | \$16.98 |
| DALE WEAVER, INC | \$61.16 |
| ELECTRICAL ALLY, INC. | \$140.17 |
| ENERGY WEST - WYOMING | \$7,343.68 |
| FASTENAL | \$40.92 |
| FITZWATER, VICKIE | \$53.04 |
| FORWARD CODY WYOMING INC. | \$14.00 |
| FREMONT MOTOR CODY, INC. | \$177.80 |
| FREMONT MOTOR POWELL, INC. | \$534.47 |
| GALLS INCORPORATED | \$2,940.83 |
| GAMBLES-STORE 4234, INC. | \$35.96 |
| GARLAND LIGHT & POWER CO. | \$1,137.84 |
| GLOBALSTAR USA, INC. | \$37.32 |
| GOODYEAR PRINTING | \$707.00 |
| GOVCONNECTION, INC. | \$2,491.16 |
| HANSON CHEMICAL INC. | \$4,972.63 |
| HARRIS TRKING & CONST., INC. | \$272,057.19 |
| HOLDINGS LITTLE AMERICA | \$270.68 |
| HOUSEL LAW FIRM LLC | \$1,760.00 |
| INTERSTATE BRANDS CORPORATION | \$260.62 |
| JPATS/USMS | \$3,305.05 |
| K MART CORPORATION | \$23.99 |
| KEEFER, ELIZABETH | \$5.54 |
| KEEGAN & WINSLOW P.C. | \$2,621.66 |
| KEEHN, TAMI | \$27.54 |
| KENCO SECURITY AND TECHNOLOGY | \$224.25 |
| KRISJANSONS, BRIGITA S. | \$400.00 |
| LEON UNIFORM COMPANY, INC. | \$533.25 |
| LINTONS BIG R, INC. | \$8.58 |
| LONGO, MARK | \$11.09 |
| MAJESTIC LUBE, INC. | \$137.35 |
| MARQUIS AWARDS & SPECIALTIES, INC | \$67.50 |
| MC CARTY, REED, & EARHART, ATTYS L.C. | \$2,210.00 |
| McCUMBER LOCKSMITH SHOP | \$15.90 |
| MEDOFF PH.D., LEONARD | \$195.00 |
| MEETEETSE, TOWN OF | \$102.21 |
| MERRITT, SUNNY G | \$472.77 |
| MICKELSON, JOSEPH D | \$146.88 |
| MILES, SARAH N, | \$2,476.21 |
| MONTANA-DAKOTA UTILITIES CO. | \$168.89 |
| MOORE, LEONARD D.D.S. | \$125.00 |
| MOTOR PARTS, INC. | \$157.25 |
| MOTOROLA | \$63.75 |
| MOUNTAIN WEST SCREEN PRINTERS, INC | \$1,448.52 |
| MURPHY, ERIC | \$54.95 |
| NATIONAL BUSINESS SYSTEMS, INC | \$2,556.28 |
| NATRONA COUNTY ATTORNEY | \$3,949.40 |
| NEMONT | \$46.97 |
| NORTHERN GARDENS | \$268.15 |
| OFFICE SHOP, THE | \$872.38 |
| PARK CO EMPLOYEE BENEFITS TRUST | \$150.70 |
| PARK COUNTY ANIMAL SHELTER | \$1,000.00 |
| PARK COUNTY DRUG COURT | \$8,953.00 |
| PARK COUNTY TREASURER | \$195,337.07 |
| PARKWAY PLAZA | \$334.55 |
| PENWELL, STEVE | \$109.42 |
| PERRINE, BARBARA | \$3.06 |
| PITNEY BOWES, INC. - A/R | \$268.71 |
| POWELL VALLEY HARDWARE | \$15.47 |
| PRO-BUILD - CODY | \$932.83 |
| PROFORCE LAW ENFORCEMENT | \$2,448.80 |

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| QWEST | \$5,269.39 |
| QWEST BUSINESS SERVICES | \$4.97 |
| RED EAGLE FOOD STORES | \$969.23 |
| REED, DARLENE | \$248.10 |
| RELM WIRELESS CORPORATION | \$25,051.10 |
| ROCKY MOUNTAIN POWER | \$953.84 |
| S & S AUDIO-VIDEO, INC. | \$63.97 |
| SCHLENKER, DAVID | \$54.95 |
| SELBYS, INC. | \$525.00 |
| SHELL FLEET PLUS, INC. | \$345.44 |
| SHOSHONE OFFICE SUPPLY, INC. | \$1,394.95 |
| SIMPSON, WILLIAM L | \$400.00 |
| SKORIC, BRYAN | \$110.16 |
| SKYCASTERS, LLC | \$2,739.00 |
| SMITH, J TRAVIS | \$2,090.00 |
| STEVES ELECTRIC, INC | \$10,290.00 |
| STROUPE PEST CONTROL, CO. | \$95.00 |
| SYSCO FOOD SERVICES OF MONTANA | \$1,757.09 |
| T.W. ENTERPRISES, INC. | \$3,923.57 |
| TCT WEST, INC | \$3,238.43 |
| TWO MEDICINE | \$1,421.00 |
| U.S. MERCHANT SYSTEMS, LLC | \$400.00 |
| UPS STORE, THE | \$53.56 |
| VERIZON WIRELESS | \$114.31 |
| VISA | \$192.07 |
| VISA - FIRST NATIONAL BANK & TRUST | \$11,114.23 |
| WAL MART COMMUNITY/GEMB | \$1,907.47 |
| WEBSTER MOTORS, INC. | \$512.11 |
| WEST PAYMENT CENTER | \$486.62 |
| WPCI CONSULTANTS, INC. | \$144.00 |
| WYOMING - DEPARTMENT OF EMPLOYMENT | \$12,629.15 |
| WYOMING BEHAVIORAL INSTITUTE | \$8,905.00 |
| WYOMING DEPARTMENT OF EMPLOYMENT | \$158.21 |
| WYOMING DEPT OF TRANS - ACCOUNTING | \$2,283.57 |
| WYOMING STATE BAR | \$138.00 |
| WYOMING STATE ENGINEERS OFFICE - WATER | \$700.00 |
| WYOMING TECHNOLOGY TRANSFER CENTER | \$480.00 |

TOTAL \$1,057,247.05

Malt Beverage Permit – Wyoming Biker Association.

County Clerk Jerri Torczon presented a request from the Wyoming Biker Association for a malt beverage permit for White Mike’s Spring Opener to be held on May 29-30, 2011 at the Oasis Motel and RV Park, 1702 State Street, in Meeteetse, Wyoming, and reported that the \$25.00 application fee had been received. After a general discussion, it was moved by Commissioner Grosskopf, seconded by Commissioner Tilden and unanimously carried to approve the 24-Hour Malt Beverage Permit as requested.

Board Appointments.

Brenda Bangert, Commissioners’ Secretary, came before the Board regarding advertising for Board Appointments. Ms. Bangert reported that the Park County Library Board and the Park County Museum Board will have openings. After a general discussion, it was the consensus of the Commissioners to advertise the vacancies and to hold interviews on June 7, 2011.

Recess for lunch.

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

Discussion of Upcoming County Meetings on BLM/RMP Revision Release.

A discussion was held on the upcoming meetings regarding the Bureau of Land Management/Resource Management Plan Revision. A proposed agenda was presented to the Board.

Liess Minor Subdivision Final Plat Review.

Becky Conrad, Planner II, presented the Liess Minor Subdivision Final Plat Review. Commissioner French recused himself because he is an adjoining landowner. 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. The recommended conditions of approval have been met. The location of the property is at the junction of Road 22 and Lane 11. After a general discussion, it was moved by Commissioner Tilden, seconded by Commissioner Grosskopf, and unanimously carried to approve **RESOLUTION 2011-19, APPROVAL OF FINAL PLAT FOR THE LIESS MINOR SUBDIVISION-10.** Commissioner French then rejoined the meeting.

Request to Place Sentry Station for Heart Mountain Interpretive Center in County Right-of-way.

Christy Fleming, Area Manager for the Heart Mountain Wyoming Foundation, came before the Board requesting Commissioners' approval to install a sentry station within the County right-of-way on Road 19. Based on historical research, in 1943 the original sentry station was placed in what would now be the center of Road 19, and they would like a similar sentry station to be located as close as possible to where the original station was located. After a general discussion regarding public safety and County liability, it was the consensus of the Commissioners to assist the Foundation with a pull-out off the main road, but only to the edge of the right-of-way and not in the right-of-way, which might include the necessity of a culvert and gravel pathway.

County Consensus Projects.

A discussion was held regarding the County Consensus Funds Projects and timetable of projects. It was the consensus of the Board to use the County's portion of the funds on improvements to the Park County Fairgrounds, including electrical upgrades and building construction.

Wellness Program Recommendations.

Tami Keehn, of Park County Insurance Committee, came before the Board and presented the Wellness Program Recommendations for 2011-12, projected to be \$77,571.00. After a general discussion, it was moved by Commissioner French, seconded by Commissioner Tilden and unanimously carried to approve the Wellness Program recommendations as presented. The Commissioners thanked the Insurance Committee for the hard work on the Wellness Program.

Executive Session.

It was moved by Commissioner Grosskopf, seconded by Commissioner Tilden and unanimously carried to go into Executive Session, pursuant to Wyoming Statute §16-4-405(a)(ix) (confidential by law) and pursuant to Wyoming Statute §16-4-405(a)(iii) (potential litigation).

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

Adjournment.

It was moved by Commissioner Tilden, seconded by Commissioner French, 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