

**Park County Board of County Commissioners
Regular Meeting
March 6, 2012**

A regular meeting of the Board of County Commissioners of Park County, Wyoming, was held on Tuesday, March 6, 2012. Present were Chairman Tim French, Commissioners Loren Grosskopf, Dave Burke, Joe Tilden, Bucky Hall and County Clerk, Jerri Torczon.

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

Executive Session.

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

It was moved by Commissioner Hall, seconded by Commissioner Tilden and unanimously carried to go out of Executive Session.

Approval of Proposal.

It was moved by Commissioner Grosskopf, seconded by Commissioner Hall, and unanimously carried to approve the proposal put forth in the Executive Session and to authorize the Chairman to sign.

Bid Opening - Park County Fairgrounds Phase 2 Electrical Upgrade.

Dennis Spargur, Superintendent of Buildings and Grounds, and Mike Garza, Maintenance Manager, came before the Board and opened bids for the Park County Fairgrounds Phase 2 Electrical Upgrade. Bids were received from Acker Electric of Cody, Wyoming, in the amount of \$349,000.00; from Bar T Electric of Powell, Wyoming, in the amount of \$320,924.00; from Buck'n Horse Electric, Inc., from Cody, Wyoming, in the amount of \$345,828.00; and from Process Power & Control of Worland, Wyoming, in the amount of \$293,881.00. After review of the bids a recommendation for award will be made.

Finalize Scoping Comments - Yellowstone National Park Supplemental Winter Use Plan/Environmental Impact Statement.

Chairman Tim French reported that the scoping comments on the Yellowstone National Park Supplemental Winter Use Plan/Environmental Impact Statement (SEIS) are due by March 9, 2012 and presented a draft that was developed by Chairman French, Commissioner Grosskopf and Deputy County Attorney James F. Davis, using the comments previously developed by Ecosystem Research Group (ERG), the Commissioner Grosskopf's personal comments and the bullet points from the Governor's Office. After a general discussion, it was moved by Commissioner Hall, seconded by Commissioner Grosskopf and unanimously carried to approve the scoping comments with a few edits.

Approval of Minutes.

The minutes of the regular meeting of February 21, 2012 were presented to the Board for consideration. It was moved by Commissioner Tilden, seconded by Commissioner Burke and unanimously carried to approve the minutes as presented.

Approval of Vouchers.

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:

<u>Payee</u>	<u>Amount</u>
ALBERTSONS PURCHASE ADV. CARD	\$180.61
AMERICAN WELDING & GAS INC	\$165.04
ANDERSON, CLARENCE	\$89.25
ART SAND & STEELE	\$60.00
ASSN OF STATE FLOOD PLAIN MANAGERS	\$110.00
AT&T MOBILITY	\$1,600.42
BAILEY, NANCY L	\$83.88
BARROWS, MARY MEYERS	\$270.25
BEAR CO INC.	\$3,997.72
BEDUHN, NICK	\$400.00
BENNETT, M.D., THOMAS L.	\$1,720.00
BENNETT-BROWN, STEPHANIE L.	\$1,654.30
BEST WESTERN RAMKOTA HOTEL	\$166.73
BIG HORN ENERGY, INC.	\$2,004.21
BIG HORN GALLERIES	\$125.40
BIG HORN GLASS	\$747.25
BIG HORN WHOLESALE, INC.	\$2,633.40
BIG VALLEY BEARING & SUPP. INC	\$209.90
BLOEDORN LUMBER - CODY	\$64.99
BOB BARKER COMPANY	\$457.45
BOYER, JOYCE	\$492.64
BRAZELTON, LILLIAN	\$28.86
BRESNAN COMMUNICATIONS	\$382.80
BURKE, DAVID	\$447.33
CARQUEST OF CODY WY #3106	\$2,433.95
CARQUEST OF POWELL	\$790.30
CDW GOVERNMENT, INC.	\$13,769.72
CENTURYLINK	\$2,461.45
CHOICE AVIATION LLC	\$140.61
CLEAN CUT SHARPENING SERVICE	\$54.00
CODY ACE HARDWARE	\$774.99
CODY FAMILY & CSMTIC DENTISTRY	\$121.50
CODY PAINT & BODY, INC.	\$704.00
CODY WINNELSON CO.	\$296.04
CODY, CITY OF	\$23,062.48
COMMUNICATION TECHNOLOGIES, INC.	\$392.50
COPENHAVER, KATH, KITCHEN & KOLPITCKE	\$130.00
CORRECTIONAL HEALTHCARE MGMT. INC	\$15,833.17
CRISIS INTERVENTION SERVICES	\$1,252.50
CRUM ELECTRIC SUPPLY CO.	\$256.47
DANFORTH, LINDA	\$10.00
DE HAAN ELECTRONICS	\$887.50
DELL MARKETING L.P., C/O DELL USA L.P.	\$1,877.99
DERRIK WALTON DDS & DARREN J RUESCH DDS	\$300.00
DOBBS, LARAE	\$144.30
EAGLE RECOVERY & TOWING	\$60.00
ELIAS, RONDA	\$157.62
ENERGY WEST - WYOMING	\$858.69
ENGINEERING ASSOCIATES	\$1,846.37
FASTENAL	\$2.43
FAY, JUDI	\$5.00
FED EX	\$313.44
FLACK, TOM	\$75.00
FONTAINE, MARIE A	\$150.00
FREEMAN, III, P.C., SOX B.	\$200.00
FREMONT MOTOR CODY, INC.	\$604.57
FROST, SANDRA M.	\$177.60
FRUIT GROWERS NEWS	\$32.00
FUEL DEPOT, INC.	\$4,754.74
GALLS INCORPORATED	\$586.98
GARYS VACUUM & STAMPS	\$9.00
GATES, SHARON	\$65.49
GDA ENGINEERS	\$2,800.00
GENERATION X, INC.	\$850.00

GRAINGER	\$2,704.52
GREENWOOD MAPPING, INC	\$900.00
GROSSKOPF, LOREN M	\$629.14
HALLMAN, EAGLER & HUNT, P.C.	\$860.00
HANSON CHEMICAL INC.	\$273.00
HATFIELD, BRITTANY	\$430.52
HILL FAMILY DENTISTRY PC	\$236.00
HOFFMANN, KENNETH A. D.D.S.	\$250.00
HOLDER, BOBBIE JO	\$121.00
HOLDINGS LITTLE AMERICA	\$1,417.97
HOLM, BLOUGH AND COMPANY	\$13,086.35
HOME INVENTORY, LLC	\$144.05
HONNEN EQUIPMENT CO.	\$5.50
HOTSY INTERMOUNTAIN	\$126.00
INTERSTATE BRANDS CORPORATION	\$327.24
INTERSTATE TIRE SERV. INC	\$80.00
JACKS TRUCK & EQUIPMENT, INC.	\$228.53
JACKSON HOLE SCIENTIFIC INVESTIGATIONS	\$950.00
KEEFER, ELIZABETH	\$62.18
KENCO SECURITY AND TECHNOLOGY	\$435.53
KUIPERS, TARA	\$475.64
LAWRENCE RAGAN COMMUNICATIONS, INC.	\$89.00
LEON UNIFORM COMPANY, INC.	\$369.50
LOEPER, JESSICA	\$7,160.00
LRP PUBLICATIONS, INC.	\$304.50
MAJESTIC LUBE, INC.	\$172.75
MARQUIS AWARDS & SPECIALTIES, INC	\$78.79
MATRIX	\$1,132.08
MATTHEW BENDER & CO., INC.	\$424.44
McCUMBER LOCKSMITH SHOP	\$4.50
McINTOSH OIL, INC.	\$14,644.97
MEINECKE ENGINEERING & LAND SURVEYING	\$2,000.00
MEYER, PAT	\$444.00
MICKELSON, JOSEPH D	\$293.04
MOORE, LEONARD D.D.S.	\$150.00
MOTOR PARTS, INC.	\$62.00
MOTOROLA SOLUTIONS, INC	\$33,666.01
MURDOCH OIL, INC.	\$30,243.30
MURPHY, KATHERINE	\$258.66
NAPA AUTO PARTS	\$31.49
NATIONAL BUSINESS SYSTEMS, INC	\$583.42
NEWMAN TRAFFIC SIGNS, INC	\$3,089.04
NORTHWEST RURAL WATER DISTRICT	\$69.00
OFFICE SHOP, THE	\$1,839.35
OSBORNE, SHARON	\$35.10
PARK CO EMPLOYEE BENEFITS TRUST	\$112.96
PARK COUNTY ANIMAL SHELTER	\$2,000.00
PARK COUNTY SCHOOL DISTRICT #1	\$83.25
PARK COUNTY TREASURER	\$5.00
PILCH ENGINEERING & SURVEYING	\$6,720.00
PITNEY BOWES, INC. - A/R	\$341.25
POWELL OFFICE SUPPLY, INC.	\$504.18
POWELL TRIBUNE, INC.	\$158.34
POWELL VALLEY HARDWARE	\$72.91
POWELL, CITY OF	\$1,474.56
PRESTON, LYNELL K	\$22.20
PRO-BUILD - CODY	\$158.24
PRODUCTION MACHINE CORP.	\$766.76
QUALITY PROPANE SERVICE INC	\$115.35
R & D WINDOW DESIGNS	\$2,339.03
RAMEY, VIRGINIA L.	\$74.00
RED BARN	\$115.59
RED EAGLE OIL COMPANY, INC.	\$59.69
RESULTS GROUP, LTD., THE	\$550.00
RIMROCK TIRE CO - CODY	\$72.40
ROCKY MOUNTAIN POWER	\$235.04

ROOP, KELSEY	\$522.74
RUBLE, PEGGY A.	\$8.39
SAFEGUARD BUSINESS SYSTEMS, INC.	\$142.63
SCHRADER METAL & DESIGN, INC.	\$96.00
SCHULER, DENISE	\$10.00
SHELL FLEET PLUS, INC.	\$267.54
SHOSHONE OFFICE SUPPLY, INC.	\$347.19
SIERRA DETENTION SYSTEMS	\$9,324.00
SIGGINS, ALAN	\$108.30
SIMPSON, WILLIAM L	\$1,251.00
SMITH, J TRAVIS	\$400.00
SOLARWINDS, INC.	\$314.10
SPRINGHILL SUITES CHEYENNE	\$154.00
STROHS INDUSTRIAL LUBRICATION	\$470.00
SYSCO FOOD SERVICES OF MONTANA	\$1,261.72
TCT WEST, INC	\$5,635.99
TESSCO INC	\$16.79
TILDEN, JOSEPH E.	\$441.78
TRACTOR & EQUIPMENT CO	\$14,380.35
TRACY, M.D., MICHAEL	\$64.40
TREASURED MEMORIES	\$11.95
UNIVERSITY OF WY - COOP EXTENSION	\$4,839.00
UNIVERSITY OF WY - WY T2 CENTER	\$55.00
UPS STORE, THE	\$89.10
UW COOPERATIVE EXTENSION SER.	\$170.00
VERIZON WIRELESS	\$454.52
VISA - FIRST NATIONAL BANK & TRUST	\$3,186.79
VISIONARY COMMUNICATIONS INC	\$78.00
WAL MART COMMUNITY/GEMB	\$1,768.94
WEED, CYNTHIA	\$10.00
WHITLOCK'S EXPRESS DETAIL	\$189.00
WOODWARD TRACTOR & RENTAL, INC	\$13.65
WOODWORKER'S SUPPLY, INC.	\$534.69
WURZEL, PATRICIA A	\$340.61
WYO DEPARTMENT OF HEALTH/PBL HLTH LB	\$176.00
WYOMING DEPT OF TRANS - ACCOUNTING	\$10.00
WYOMING DEPT OF TRANS - MOTOR VEHICLES	\$5.00
WYOMING INFORMATION TECHNOLOGY DIV	\$6.00
YELLOWSTONE LANDSCAPING INC	\$17,469.25
YOUR APPLIANCE MAN, INC.	\$60.00
TOTAL	\$298,888.11

Approval of Payroll.

Payroll for March 1, in the amount of \$516,108.71; for March 5, 2012, in the amount of \$486.77; and for March 5, 2012, in the amount of \$74,214.74 were presented to the Board for consideration. It was moved by Commissioner Burke, seconded by Commissioner Grosskopf and unanimously carried to approve payroll as presented.

Approval of Bonds.

Barb Poley, County Treasurer, came before the Board and presented bonds for Scott Hecht, Commissioner for Heart Mountain Irrigation District, in the amount of \$5,000.00; for Rick LaPlante, Treasurer for Northwest College, in the amount of \$25,000.00; for Patricia Nelson, Commissioner for the Shoshone Irrigation Project Joint Powers Board, in the amount of \$5,000.00; and for Robert E. Parsons, Treasurer for Park County Weed and Pest Control, in the amount of \$50,000.00. It was moved by Commissioner Hall, seconded by Commissioner Grosskopf and unanimously carried to approve the bonds as presented.

Discussion - Law Enforcement Agreement with City of Cody.

Mayor Tia Brown of the City of Cody, Chief of Police Perry Rockvam, City Attorney Scott Kolpitcke and Acting Assistant City Administrator Rick Manchester, came before the Board and requested a joint meeting between the City and the

County regarding the Law Enforcement Agreement. The original agreement was implemented in 2006. Sheriff Scott Steward has requested that the agreement be modified and the City of Cody wishes to meet with the County regarding the modifications. It was the consensus of the Board that a meeting between the City and Park County take place on March 16, 2012, with Chairman Tim French representing the Board.

Bid Award - Park County Fairgrounds Phase 2 Electrical Upgrade.

Dennis Spargur, Superintendent of Buildings and Grounds, and Mike Garza, Maintenance Manager, came before the Board and presented their recommendation to award the bid to the low bidder for the Park County Fairgrounds Phase 2 Electrical Upgrade. After a general discussion, it was moved by Commissioner Burke, seconded by Commissioner Grosskopf and unanimously carried to award the bid to the low bidder, Process Power & Control, of Worland, Wyoming, in the amount of \$293,881.00.

Discussion - Audit Request for Proposals.

A discussion was held regarding the Request for Proposals for Audit Services. Commissioner Grosskopf informed the Board that Stine, Buss, Wolff, Wilson & Associates, P.C. will not be submitting a proposal for the three year contract period. County Clerk Jerri Torczon will prepare a Request for Proposal for the next Board meeting for review. It was the consensus of the Board to request that Keri Wilson of Stine, Buss, Wolff, Wilson & Associates be present at the next Board meeting to discuss the feasibility of the County hiring a Certified Public Accountant to prepare quarterly reports prior to the audit, in an effort to possibly save money in auditing fees.

Recess.

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

Public Hearing - Sketch Plan Application Forman Minor Subdivision-6.

Chairman Tim French opened the public hearing for the consideration of the sketch plan application of Michael & Lois Forman to create a third lot from a tract of record, the Forman Minor Subdivision-6, located within Lot 20, Sec. 18, T55N, R100W, and Lots 5 & 6, Sec. 13, T55N, R101W, 6th PM, Park County Wyoming. The proposed division is one lot of 2.33 acres with 102.71 acre remainder. Becky Ross, Planner II, came before the Board and presented the staff report. There were no public comments presented.

It was moved by Commissioner Hall, seconded by Commissioner Tilden and unanimously carried to close the public hearing.

Approval - Sketch Plan Review - Forman Minor Subdivision-6.

It was moved by Commissioner Burke, seconded by Commissioner Tilden and unanimously carried to approve **RESOLUTION NO. 2012-08**, Sketch Plan Approval of Forman Minor Subdivision-6.

Approval - Final Plat Review - Forman Minor Subdivision-6.

Becky Ross, Planner II, presented the staff report for the Final Plat Review of the Forman Minor Subdivision. It was moved by Commissioner Tilden, seconded by Commissioner Hall and unanimously carried to approve **RESOLUTION NO. 2012-09**, Final Plat Approval of Forman Minor Subdivision - 6.

Consent for De-Annexation Review of Property from City of Powell.

Becky Ross, Planner II, presented the staff report for the De-Annexation Review of Property from the City of Powell by Eric Petersen, the applicant, being specifically 8.52 acres within Tract B (Phase III) Whitlock II Residential Subdivision (Phases I & II) T55N, R99W, 6th PM, Park County, Wyoming. The applicant was present and answered questions of the Board. After a general discussion, it was moved by Commissioner Burke, seconded by Commissioner Tilden and unanimously

carried to approve **RESOLUTION NO. 2012-10**, Report of Impact of Petersen De-Annexation from City of Powell.

Continued Public Hearing - Reconsideration of Resolution No. 2007-21, Limiting Copperleaf Subdivision Well Water Consumption.

Chairman Tim French reopened the public hearing on the application of Rod Fuller, representing the Copperleaf Homeowners Association, to reconsider Resolution No. 2007-21 that limits Copperleaf Subdivision well water consumption to 300,000 gallons per year drawn from three wells, increasing usage up to 10,000,000 gallons per year from these three wells. Copperleaf Subdivision is located in portions of Sections 15, 22 and 23 of T52N, R105W, 6th PM, Park County, Wyoming. Due to comments being made at the previous public hearing about water rights and individual wells, a conference call was made to Lisa Lindemann, Ground Water Administrator, with the Wyoming State Engineer's Office. Ms. Lindemann stated that all ground water and surface water belongs to the State of Wyoming, and supervision of those waters is provided by the Wyoming State Engineer's Office. When water permits are issued, conditions and limitations may apply. The three wells at Copperleaf Subdivision have been adjudicated at 35 gallons per minute for each well. Ms. Lindemann stated that if a party is affected by water levels diminishing, they file a complaint of interference with the Wyoming State Engineer's Office. Ms. Lindemann stated that the cap on each of these three wells is 70 acre feet per well, or 23,000,000 gallons per year per well. Ms. Lindemann stated that their office would not enforce any local agreements and the State does not get involved in any additional layers of regulations other than those mandated by State Statute and the statutes are written in order to maximize the beneficial use of resources.

James F. Davis, Deputy County Attorney, stated that the Board may reconsider previous decisions and can proceed on the application for this reconsideration.

Comments were received from members of the audience putting forth opposition to the application.

Ross Jorgensen, Registered Circuit Rider with the Wyoming Association of Rural Water Systems, stated that the County would be eligible for a grant through the Wyoming Water Development to do an overall study of the County's water supply.

After a general discussion, it was moved by Commissioner Hall, seconded by Commissioner Tilden and unanimously carried to continue the public hearing until April 17, 2012.

Adjournment.

It was moved by Commissioner Hall, seconded by Commissioner Tilden and unanimously carried to adjourn the meeting.

Tim A. French, Chairman

Loren Grosskopf, Vice Chairman

Joe Tilden, Commissioner

Dave Burke, Commissioner

Bucky Hall, Commissioner

Attest:

Jerrri B. Torczon, County Clerk