

**Park County Board of County Commissioners
Regular Meeting
March 19, 2013**

A regular meeting of the Board of County Commissioners of Park County, Wyoming, was held on Tuesday, March 19, 2013. Present were Chairman Loren Grosskopf, Commissioners Bucky Hall, Lee Livingston, Joe Tilden and Tim French, and County Clerk Jerri Torczon.

Chairman Loren Grosskopf called the meeting to order and Commissioner Lee Livingston led the audience in the Pledge of Allegiance.

Public Hearing – Inclusion Petitions for the Enlargement of the Existing Boundaries of Northwest Rural Water District.

Chairman Grosskopf opened the public hearing. Dossie Overfield, District Manager of Northwest Rural Water District, came before the Board and stated that petitions have been received for inclusion into the Northwest Rural Water District. Notices have been sent to the Park County Assessor's Office and the State Department of Revenue to make sure that there is no overlapping with any other water districts. Maps of the areas to be included were shown to the Board. Ms. Overfield reported that no comments had been received. There were no comments presented from the audience.

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

Approval – Enlargement of the Existing Boundaries of Northwest Rural Water District.

It was moved by Commissioner Tilden, seconded by Commissioner French and unanimously carried to approve the Order of the Park County Board of County Commissioners Approving Petition for Enlargement of the Northwest Rural Water District Without Election.

Discussion – Sale of County Property.

Chairman Grosskopf presented a list of twelve Park County properties identified for potential sale. A discussion was held on how to proceed with the sale of these properties. It was the consensus of the Board that a committee be formed to establish assessed values and the format to be used for the sale of the properties and report back to the Board at the April 9th meeting. Committee members will include County Assessor Pat Meyer as committee leader, Commissioners Lee Livingston and Joe Tilden, County Planner Linda Gillett, County Treasurer Barb Poley, Executive Assistant Peggy Ruble, and County Clerk Jerri Torczon.

Approval - Cost-Sharing Request to Plow East Entrance Road into Yellowstone National Park.

Executive Director Scott Balyo and President Luke Anderson of the Cody Country Chamber of Commerce, came before the Board and reported on the Chamber's fund raising efforts to plow the East entrance road into Yellowstone National Park in order to have Yellowstone Park opened by the traditional date of May 3rd. It is anticipated that \$100,000.00 is needed to open the East entrance and advance toward Fishing Bridge. It was reported that the Wyoming Department of Transportation will use their equipment for the operation and will be the party entering into a Memorandum of Understanding with the National Park Service. The Chamber has raised \$60,370.00 toward the total obtained through member contributions and matching funds through the Chamber of Commerce. The Chamber would like to secure the funds by April 1st. An estimate of the plowing is \$4,400.00 per mile. Opening the entrance would have an estimated economic impact of \$2 million on Park County. Once the road is open, the Yellowstone Park crews will maintain the road. Dewey Vanderhoff presented oral comments and stated that the Commissioners should fund the effort, as well as the State of Wyoming, as both benefit directly from the revenue received from tourism. It was moved by Commissioner Hall, seconded by Commissioner Tilden and unanimously carried to approve the amount of \$10,000.00 toward the effort.

Approval – Park County Walking Program.

Tami Keehn, Grants Compliance Officer and Member of the Park County Health & Wellness Team, came before the Board and presented the Team's new health incentive campaign, challenging employees to walk 1,700 miles in a year. The "Park4, Walking the Rockies" program would include the purchase of pedometers for participants and drawings for gift cards after the year is completed. Following a general discussion, it was moved by Commissioner Hall, seconded Commissioner Livingston and unanimously carried to approve the program.

Approval - Corporate Fitness Options.

Tami Keehn, Grants Compliance Officer and Member of the Park County Health & Wellness Team, presented options for employees to use fitness centers at a corporate rate, utilizing payroll deductions. It was moved by Commissioner Tilden, seconded by Commissioner Hall and unanimously carried to approve the Corporate Fitness Options.

Approval - Payment of Health Incentives.

Tami Keehn presented the results of the blood draws and health assessments completed by the employees to date. To date, there have been 209 blood screenings, and 191 health assessments completed, with \$24,145.00 scheduled to be paid out in April for the health incentives. The remainder of the health incentives will be paid in July. It was moved by Commissioner French, seconded by Commissioner Hall and unanimously carried to approve the payment of the health incentives, in the amount of \$24,145.00.

Approval - Final Plat of O'Brien Simple Subdivision (SS-214).

Becky Ross, Planner II, came before the Board and presented the staff report on the Final Review of the O'Brien Simple Subdivision (SS-214). Following a general discussion, it was moved by Commissioner Livingston, seconded by Commissioner Tilden and unanimously carried to approve **RESOLUTION NO. 2013-14, APPROVAL OF O'BRIEN SS-214 FINAL PLAT.**

Approval - Final Plat Sheppard Simple Subdivision (SS-217).

Becky Ross, Planner II, came before the Board and presented the staff report for Sheppard Simple Subdivision (SS-217). After a general discussion, it was moved by Commissioner Tilden, seconded by Commissioner French and unanimously carried to approve **RESOLUTION NO. 2013-15, APPROVAL OF SHEPPARD SS-217 FINAL PLAT.**

Bid Award - Property Insurance.

Michael Demoney, First Deputy in Park County Clerk's Office, presented information regarding the bids for the County's property insurance. Ron Meeker of Traveler's Insurance and Joe Constantino of Wyoming Association of Risk Management answered questions of the Board regarding their bids and coverage. Following a general discussion, it was moved by Commissioner Tilden, seconded by Commissioner French and unanimously carried to award the bid to Wyoming Association of Risk Management, in the amount of \$157,576.00.

Authorization to Hire Law Firm.

Deputy County Attorney James F. Davis came before the Board and requested authorization to hire outside legal counsel regarding upcoming landfill issues. It was reported that Mark Steward of Davis & Cannon, LLP has greater expertise in dealing with landfill issues and in working with the Department of Environmental Quality. It was moved by Commissioner Hall, seconded by Commissioner French and unanimously carried to hire the law firm of Davis & Cannon to assist with legal representation on issues regarding the landfill.

Approval of Vouchers.

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

<u>Payee</u>	<u>Amount</u>
A-1 ELECTRIC, LC	\$64.00
ABSAROKA DOOR	\$111.50
ALDRICH'S - POWELL	\$19.74
ALL COLOR EMBROIDERY SERVICES, INC.	\$195.00
AMERICAN WELDING & GAS, INC.	\$75.97
AT CONFERENCE	\$16.21
BAILEY ENTERPRISES, INC.	\$5,197.90
BANGERT, BRENDA	\$20.00
BARROWS, MARY MEYERS	\$628.75
BEAR CO., INC.	\$3,403.91
BEARTOOTH ELECTRIC COOP	\$74.96
BEDNARZ, TAYLOR R.	\$9.61
BETTER HOMES & GARDEN MAGAZINE	\$9.99
BIG HORN CARPET ONE, INC.	\$425.00
BIG HORN CO-OP MARKETING ASSN.	\$21.84
BIG HORN ENERGY, INC.	\$752.54
BIG HORN PAINT, INC.	\$358.95
BIG HORN RURAL ELECTRIC COMPANY	\$304.89
BIG HORN WHOLESALE, INC.	\$2,922.13
BLAKEMAN PROPANE, INC.	\$2,049.00
BLOEDORN LUMBER - CODY	\$331.52
BLOEDORN LUMBER - POWELL	\$95.65
BOONE'S MACHINE SHOP	\$117.68
BOYS & GIRLS CLUB OF PARK CO.	\$10,441.81
BRAZELTON, LILLIAN	\$28.86
BRESNAN COMMUNICATIONS	\$159.96
BRUCO, INC.	\$3,180.63
CARQUEST AUTO PARTS - #064250	\$8.75
CDW GOVERNMENT, INC.	\$1,193.09
CENTURYLINK	\$3,441.73
CENTURYLINK BUSINES SERVICES	\$5.10
CODY ACE HARDWARE	\$226.33
CODY ENTERPRISE	\$1,736.17
CODY FAMILY & CSMTIC DENTISTRY	\$116.00
CODY WINNELSON CO.	\$65.92
CODY, CITY OF	\$1,250.00
CODY, CITY OF	\$2,286.29
COMPLIANCE ASSURANCE ASSOCIATES, INC.	\$500.00
COPENHAVER KATH KITCHEN & KOLPITCKE	\$400.00
COULTER CAR CARE CENTER	\$206.50
CRAWFORD HOME INSPECTION	\$350.00
CRISIS INTERVENTION SERVICES	\$1,170.83
CRUM ELECTRIC SUPPLY CO.	\$836.42
DOBBS, LARAE	\$117.52
EAGLE RECOVERY & TOWING	\$630.00
EMEDCO, INC.	\$142.23
ENERGY LABORATORIES, INC	\$97.00
ENERGY WEST - WYOMING	\$6,635.77
FED EX	\$27.56
FITZWATER, VICKIE	\$117.52
GARLAND LIGHT & POWER CO.	\$1,300.69
GILL, PAUL	\$81.73
GLOBALSTAR USA, INC.	\$26.46
GRAINGER	\$1,061.46
HAL LEE PLUMBING & HEATING, LLC	\$869.48
HALL, THOMAS BUCKY	\$124.30
HEART MTN FARM SUPPLY	\$78.85
HENY, JESSICA	\$20.00
JOHN DEERE FINANCIAL	\$103.73

K-B COMMERCIAL PRODUCTS	\$170.76
KEEGAN & WINSLOW P.C.	\$3,252.00
KEELE SANITATION	\$295.00
KRISJANSONS & MILES, P.C.	\$2,305.26
KRISJANSONS & MILES, P.C.	\$800.00
LEON UNIFORM COMPANY, INC.	\$303.00
LOEPER, JESSICA	\$1,270.00
MAJESTIC LUBE, INC.	\$54.45
MANNAHOUSE	\$2,425.00
MARQUIS AWARDS & SPECIALTIES, INC	\$316.06
MCCARTY, REED, & EARHART, ATTYS L.C.	\$2,573.71
McCUMBER LOCKSMITH SHOP	\$4.00
MEDICAL CENTER PHARMACY	\$157.92
MEETEETSE, TOWN OF	\$109.20
MERCK SHARP & DOHME CORP.	\$5,853.20
MESSENGER & OVERFIELD, P.C.	\$575.00
MICKELSON, JOSEPH D	\$176.28
MONTANA-DAKOTA UTILITIES CO.	\$542.29
MOORE, DDS, LEONARD	\$300.00
MOTOR PARTS, INC.	\$26.86
MOTOROLA SOLUTIONS, INC	\$308.55
NATIONAL BUSINESS SYSTEMS	\$2,590.26
NEMONT	\$47.00
NORTHWEST WY FAMILY PLANNING	\$768.00
OFFICE SHOP, THE	\$2,036.42
OSBORNE, SHARON	\$657.46
OTIS ELEVATOR CO.	\$4,820.00
PARK COUNTY ANIMAL SHELTER	\$1,000.00
PARK COUNTY SHERIFF	\$85.47
PAVEMENT MAINTENANCE, INC.	\$21,825.00
PERRINE, BARBARA	\$5.58
PITNEY BOWES, INC. - A/R	\$250.73
POWELL ACE HARDWARE, LLC	\$87.89
POWELL ELECTRIC	\$592.52
POWELL OFFICE SUPPLY, INC.	\$799.00
POWELL TRIBUNE, INC.	\$3,531.60
PRO-BUILD - CODY	\$163.36
RED IRON REPAIR, INC	\$651.78
REDD ROOFING COMPANY WYOMING	\$8,847.11
RIMROCK TIRE CO - CODY	\$533.85
ROCKY MOUNTAIN POWER	\$1,959.95
ROCKY MOUNTAIN SPORTS	\$1,427.34
ROCKY MOUNTAIN WINDSHEILD CO	\$275.00
ROGERS SPORT CENTER	\$78.01
S & S AUDIO-VIDEO, INC.	\$95.96
SCHRADER METAL & DESIGN, INC.	\$142.12
SELBYS, INC.	\$91.00
SHOSHONE OFFICE SUPPLY, INC.	\$196.02
SPAN PUBLISHING, INC.	\$152.10
STATE FARM INSURANCE SUPPORT CENTER	\$50.00
STROUPE PEST CONTROL, CO.	\$95.00
SYSCO FOOD SERVICES OF MONTANA	\$2,287.52
TCT WEST, INC	\$6,350.13
THOMPSON PUBLISHING GROUP.	\$953.98
TRI STATE TRUCK & EQUIP, INC	\$151,198.89
TWOMEDICINE	\$2,122.50
VERIZON WIRELESS	\$105.99
VISA - #0050	\$117.00
VISA - #0076	\$928.28
VISA - #0084	\$1,073.89
VISA - #0092	\$548.64
VISA - #0118	\$52.76
VISA - #0126	\$68.44
VISA - #0142	\$661.99
VISA - #0151	\$477.95
VISA - #0169	\$583.44

VISA - #0225	\$270.35
WCTA	\$100.00
WEBSTER MOTORS, INC.	\$87.70
WEST PARK HOSPITAL	\$54.60
WEST PAYMENT CENTER	\$568.36
WESTERN MUNICIPAL CONSTR OF WY, INC.	\$21,646.31
WHITE INK, LLC	\$75.00
WOLFE COMMUNICATIONS	\$95.09
WOODWARD TRACTOR & RENTAL, INC	\$51.00
WPCI CONSULTANTS, INC.	\$130.50
WYOMING DEPARTMENT OF HEALTH	\$49.00
WYOMING DEPT OF TRANS - ACCOUNTING	\$662.16
WYOMING DEPT OF TRANS - MOTOR VEH.	\$2.00
WYOMING DEPT OF WORKFORCE SERVICES	\$132.00
WYOMING PUBLIC HEALTH LABORATORY	\$99.00
WYOMING SECRETARY OF STATE - NOTARY	\$30.00
WYOMING SECRETARY OF STATE - NOTARY	\$30.00
WYOMING STATE PUBLIC DEFENDER-	\$1,200.00
WYOPASS	\$385.00
YELLOWSTONE BEHAVIORAL HEALTH	\$120.00
Total	\$325,238.97

Approval of Minutes.

The minutes of the regular meeting of March 12, 2013 were presented to the Board for consideration. It was moved by Commissioner Tilden, seconded by Commissioner Livingston and unanimously carried to approve the minutes as presented.

Approval of Payroll

Payroll for March 14, 2013, in the amount of \$362,623.37, was presented to the Board for consideration. It was moved by Commissioner French, seconded by Commissioner Tilden and unanimously carried to approve payroll as presented.

Establish Liquor License Fees.

County Clerk Jerri Torczon presented the liquor license fees that must be approved on a yearly basis. Currently there are 20 retail liquor licenses and five malt beverage liquor license issued by Park County. After a general discussion, it was moved by Commissioner Hall and seconded by Commissioner Tilden to set the retail liquor license fee at \$600.00, the restaurant liquor license fee at \$400.00 and the malt beverage liquor license fee at \$200.00. Roll was called with Commissioner French casting the only negative vote. Motion carried.

Approval - Construction Contract with Ace Electric, Inc.

Dennis Spargur, Maintenance Manager, came before the Board and presented the Construction Contract with Ace Electric, Inc., for Phase 3 Electrical Upgrade Project, in the amount of \$222,052.00. It was moved by Commissioner Tilden, seconded by Commissioner Livingston and unanimously carried to approve the contract and authorized the Chairman to sign.

Approval - Grant Application for Temporary Assistance for Needy Families/Community Partnership Initiative.

Peggy Ruble, Executive Assistant, came before the Board and presented the grant application for Temporary Assistance for Needy Families/Community Partnership Initiative (TANF/CPI). The application, in the amount of \$69,348.00, is for six recipients, those being the Boys & Girls Club, Children's Resource Center, Crisis Intervention Services, Northwest Wyoming Family Planning, Powell Valley Health Care and West Park Hospital. The funds will be used in providing assistance to needy families. It was moved by Commissioner Hall, seconded by Commissioner Tilden and unanimously carried to approve the grant application as presented and authorized the Chairman to sign. Commissioner Hall disclosed that he serves on the Board of the Children's Resource Center.

Approval - Grant Application for Federal Natural Resource Policy Account (FNRPA) on Behalf of Shoshone Cooperating Agency Coalition for Cooperating Agency Participation in Shoshone Forest Plan Revision Process.

Chairman Grosskopf presented the grant request, in the amount of \$60,000.00, for the Shoshone Cooperating Agency Coalition (SCAC) for Cooperating Agency Participation in Shoshone National Forest Plan Revision and use of professional consultant services. The coalition is comprised of Park County, Hot Springs County and Fremont County, and eight conservation districts. The grant will provide additional financial resources to allow the counties and conservation districts to contract for the technical expertise afforded by the contractor ERG. This will help the coalition members to adequately respond to the United States Forest Service Land and Resource Management Plan Revision Rule process and to the formal Shoshone National Forest Draft Forest Plan that has been released for public comment. It was moved by Commissioner Hall, seconded by Commissioner French and unanimously carried to approve the grant, authorize the Chairman to sign and authorize Park County to be the administrator of the grant.

Recess.

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

Public Hearing – Consider the Application of Rod Fuller, representing the Copperleaf Homeowners Association, to reconsider and modify Resolution #2007-21 that limits Copperleaf Subdivision Well Water Consumption to 300,000 gallons per year drawn from 3 wells, increasing usage up to 11,037,600 per year from these three wells. Copperleaf Subdivision is located in the portions of S. 15, 22 and 23 of T52N, R0105W, 6th PM, Park County, Wyoming.

Chairman Grosskopf opened the public hearing. Commissioner Livingston recused himself from the proceedings, as he is an immediate property owner to Copperleaf Subdivision.

Planning Director Linda Gillett presented background information regarding the application. In 2007, by Resolution 2007-21, Copperleaf Subdivision was given authority by Park County to use 300,000 gallons per year on an emergency basis, drawn from three wells. The subdivision is now requesting that the amount be raised to 11,037,600 gallons per year.

Steven F. Freudenthal, attorney for the applicant, presented reasons for the application and summarized the issues. Mr. Freudenthal presented a copy of an Affidavit of Tom Pilch, Professional Engineer and Professional Geologist, which states that the wells at the Copperleaf Subdivision and the wells located on adjacent properties are using the same water aquifer and that the Copperleaf wells have no effect on adjacent properties and their water wells. Earl McKinney, Regional Director for the Wyoming Association of Rural Water Systems, presented information regarding the static water level tests conducted on the Copperleaf wells.

Comments were received from Teresa Lineberger, Terry McDaniel and Mike Gibbons regarding the static water level tests and suggested that other wells be tested in the area during the same time frame to determine static water levels for other wells in the area. Mike Gibbons suggested that Park County undergo a contract for a third party to study the issue of the water wells. Further objections were received from members of the audience including Frank Alvarado, Neal Tokowitz, Keith Dahlem, Carol Boyce and Robert Hoszwa regarding trust issues with Copperleaf, the retail sale of water by Copperleaf to residents in Ptmarigan Subdivision, and enforcing original agreements. Assurance from surrounding landowners that their wells will not be impacted was requested. Written comments were also received by the Board. Comments were made by members of the Board that each individual lot in Copperleaf could essentially drill their own well and nobody wants anyone's well to dry up, but everyone has a right to water.

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

Establish a Date for Decision - Application of Rod Fuller, representing the Copperleaf Homeowners Association.

It was moved by Commissioner Hall, seconded by Commissioner French and unanimously carried to make the final decision on the application of Copperleaf Homeowners Association at the April 16, 2013 meeting.

Adjournment.

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

Loren Grosskopf, Chairman

Joseph E. Tilden, Vice Chairman

Bucky Hall, Commissioner

Lee Livingston, Commissioner

Tim A. French, Commissioner

Attest:

Jerri B. Torczon, County Clerk