

**Park County Board of County Commissioners
Regular Meeting
May 19, 2015**

Chairman Tilden called to order a regular meeting of the Board of County Commissioners of Park County, Wyoming, on Tuesday, May 19, 2015 at 10:15 A.M. Present were Chairman Joe Tilden, Vice Chairman Lee Livingston, Commissioners Loren Grosskopf, Bucky Hall, Tim French, and Hans Odde First Deputy County Clerk.

Commissioner Hall led the audience in the Pledge of Allegiance.

Ann Trosper, District Manager – Powell-Clarks Fork Conservation District - Semi-annual Watershed Progress Report

Ms. Trosper presented the semi-annual watershed progress report for the Powell-Clarks Fork Conservation District and updated the Commissioners on other important activities of the district such as water monitoring and keeping abreast of the ever growing number of rules and regulations effecting citizens of Park County.

Liaison Reports

Commissioner Hall reported the executive board of the WCCA is working on their policy handbook and that he will be heading a committee on state aeronautics funding.

Commissioner Grosskopf will be attending the NACo Western Interstate Region conference and anticipates high level discussions on energy, waters of the US and public lands as well as other topics effecting local governments. The Red Lake area clean up was a great success with around 4000 pounds of trash collected. Governor Mead will be attending the ribbon cutting for the new Cody Labs project.

Commissioner Livingston had nothing to report on at this time.

Commissioner French attended the fair board meeting and feels they are headed in a new direction with many exciting possibilities ahead.

Commissioner Tilden reported briefly about the ongoing sage grouse issue.

Bill Crampton, Public Health Nurse Manager – Public Health Monthly Update & Request to Fill Position

Mr. Crampton reported that the total number of contacts for Public Health are down a bit because the MCH and TANF grants are being better utilized. His department is presently offering classes about HEP C and HIV which has helped increase revenues, however he reported that his materials budget will be overspent because of flu vaccine purchases.

Mr. Crampton has been named interim County Public Health Nurse Manager for Big Horn County – all expenses related to this interim appointment will be paid by Big Horn County.

Mr. Crampton requested permission due to processes put in place by the State Department of Health to fill an open 32 hour per week position within his department. This position is not a new position and is considered part time and benefited by the State.

Commissioner Hall made a motion to grant permission to the Public Health Nurse Manager to fill the 32 hour per week position that is currently open. Commissioner French seconded and the motion carried.

Action Items and Other Business

Approve-Vouchers

Commissioner Livingston made a motion to approve the voucher as presented. Commissioner Hall seconded and the motion carried.

Approval of Minutes: May 14, 2015

Commissioner Hall made a motion to approve the minutes of May 14, 2015 as submitted. Commissioner Livingston seconded and the motion carried.

Approve-Payroll

Commissioner Grosskopf made a motion to approve the payroll as submitted. Commissioner French seconded and the motion carried.

Request to Advertise for Public Hearing on June 30 for FY 2015 Budget Transfers

Park County Clerk, Colleen Renner requested the Commissioners consider scheduling a public hearing on June 30, 2015 at 8:15 A.M. to approve Fiscal Year 2015 budget transfers. Commissioner Hall made a motion to advertise that a public hearing will be held on June 30, 2015 at 8:15 A.M. in the County Commissioner Chambers. Commissioners French seconded and the motion carried.

Open Bids for Search and Rescue Boat

Park County Sheriff, Scott Steward presented the Commissioners with three sealed bids to sell one Starcraft Classic 200 pontoon boat and trailer. The Sheriff explained that the boat had been used by Park County Search and Rescue but is now being sold as surplus property. The following three bids were opened and read aloud by the Sheriff;

Dan Haman - \$9,350

Steven Fortmuller \$4,001

Larry & Zoe Brewer \$5,001

After Sheriff Steward reviewed the bids and confirmed the average NADA price of the boat and trailer he recommended that the Commissioners accept the bid from Dan Haman for \$9,350.

Commissioner Livingston made a motion to sell the surplus Starcraft Classic 200 pontoon boat and trailer to Dan Haman for \$9,350. Commissioner French seconded and the motion carried.

Approve Construction Contract for Park County Complex Shingle Replacement Project

Buildings and Grounds Supt., Mike Garza presented the final contract for the Park County Complex Shingle Project with Jess's Roofing of Cody in the amount of \$481,800. Mr. Garza stated the contract had been approved by the County Attorney.

Commissioner French made a motion to approve and allow the Chairman to sign the Park County Complex Shingle Project contract between Park County and Jess's Roofing. Commissioner Livingston seconded and the motion carried.

Discuss Allocation of Title III Funds for continued work on Sunlight Basin

Brian Edwards, County Engineer recommended to the Commissioner that this year's Title III funds from the Forest Reserve Funds Allocation be designated to the Sunlight Basin Road. Commissioner French asked Mr. Edwards if they could add in the Squaw Creek Road in case there are funds remaining from the Sunlight Basin Road project the County could then proceed on with that project without delay. Mr. Edwards felt there likely won't be any funds remaining however he felt the additional road designation wouldn't hurt anything.

Commissioner French made a motion to designate the Title III funds to the Sunlight Basin Road as the County's priority and if funds are remaining those monies should be designated to the Squaw Creek Road. Commissioner Livingston seconded and the motion carried.

Approve Master Road Agreement for Forest Service Annual Road Maintenance Reimbursement for year 2015

Mr. Edwards presented the Cooperative Forest Road Agreement between Park County and the USDA Forest Service. This agreement extends the current agreement to December 31, 2020 and covers the Kerwin, Hunter Creek and Sunlight Basin Roads.

Commissioner Hall made a motion to approve and allow the Chairman to sign the agreement as presented. Commissioner French seconded and the motion carried.

Discuss Interim Appointment for Position on the Yellowstone Country Assistance Network

Commissioners Office Assistant Whitney Maslak will be leaving her position as the Counties representative to YCAN at the end of May. She spoke to YCAN about the re-appointment process and found that no one from the Commissioner's office can be on the board because of mutual grant commitments between the Commissioners and YCAN. Commissioner

Grosskopf suggested that an email be sent out to all County employees asking for a volunteer to serve as the County's appointment to the YCAN board.

At this point in the meeting Commissioner Grosskopf left the meeting to attend the Western Interstate Region meeting of the National Association of Counties.

Request to Advertise for Upcoming Board Appointments to Library and Museum Boards

Commissioners' Executive Assistant, Shaunna Romero requested permission from the Commissioners to advertise for applicants to serve Library and Museum Boards.

Commissioner Livingston made a motion to advertise two openings on the Library Board and two openings on the Museum Board. Commissioner French seconded and the motion carried.

At this point in the meeting Commissioner Hall left to attend to personal business.

Break for Lunch

Kim Dillivan, Planner II – SBM Simple Subdivision – 233 Final Plat Review

Mr. Dillivan reviewed the details of the SBM Simple Subdivision noting that it is a one lot simple subdivision with a building and residence already there and the remaining parcel will stay in an agricultural use. Having approval of the Planning and Zoning Commission and not receiving any other objections or comments Mr. Dillivan recommended approval of the SBM Simple Subdivision with conditions as spelled out in the resolution.

Commissioner French made a motion to approve Resolution #2015-020 approving and spelling out the conditions for approval of the SBM Simple Subdivision. Commissioner Livingston seconded and the motion carried.

Kim Dillivan, Planner II – Public Hearing to consider the variance application of Bulkeley Partnership for a subdivision connecting to a public water supply and proposed simple subdivision

Chairman Tilden opened a public hearing at 1:05 P.M. on the proposed Bulkeley Simple subdivision and variance for connecting to a public water supply on a parcel that is 7.45 acres within Sec. 18 T55N, R98W 6th P.M., Park County, WY. Proposed Lot 1 is on the west side of Lot 62-D, which is located SE of the intersection of Lane 9 and Road 6.

Mr. Dillivan addressed the issues pertaining to the variance request first. The potable water line from Northwest Rural Water is more than 120 feet from the proposed property line. To install the nearly 300 feet of line that would be required to serve the proposed lot would cost in excess of \$17,000. Neighboring lots have groundwater wells that meet EPA standards for human consumption and will likely be the case for this proposed lot. Dale Jensvold offered the only comment from the public stating that he lives near the proposed lot and has a good potable water well.

Mr. Dillivan next addressed the proposed simple subdivision of 7.45 acres located near the intersection of Lane 9 and Road 6. According to county records there are other small waste water systems in the area and this proposed lot should be no different. Access to the proposed lot is from Road 6 and a weed control plan is in place. The Park County Planning and Zoning Commission (PCPZ) has approved the preliminary plat with conditions.

Chairman Tilden called for any other public comment and hearing none Commissioner Livingston made a motion to close the public hearing at 1:13 P.M. Commissioner French seconded and the motion carried.

Commissioner Livingston made a motion to approve Resolution #2015-021 granting the variance request for Bulkeley Simple Subdivision-234 to not be required to connect to a public water supply system. Commissioner French seconded and the motion carried.

Commissioner French made a motion to approve Resolution #2015-022 approving the final plat for the Bulkeley Simple Subdivision-234, subject to the conditions stated in the resolution. Commissioner Livingston seconded and the motion carried.

Kim Dillivan, Planner II – Public Hearing to consider the Sketch Plan application of Partridge 1994 Trust for the Ramirez minor subdivision of Lot 2 of Bonner #2 SS-175

Chairman Tilden opened a public hearing at 1:15 P.M. to consider the sketch plan application of Jay and Phyllis Partridge for the Ramirez minor subdivision of Lot 2, part of Bonner #2 SS-175, into 2 lots. Lot 1 being 1.44 acres and Lot 2 being 25.31 acres, in Lot 75-F, T55N, R99W, 6th pm, Park County, WY, in an R-H 13 zoning district.

Mr. Dillivan presented details regarding this application stating first that the proposed subdivision is within the area that the City of Powell would normally review and submit comments on the application and at this time has not done so. Lot 1 will be residential use while the new lot 2 will likely remain in agricultural production. Potable water supply will probably be a ground water well as Northwest Rural water is approximately one mile away and the City of Powell line is around 400 feet making connection to either line cost prohibitive. The Planner also reported that the PCPZ has approved the subdivision with conditions.

Chairman Tilden asked for public comment and Scott Lewis with Granite Engineering spoke as the owners representative and stated that the City of Powell Planning and Zoning Board has approved the proposed subdivision and the Powell City Council will consider it for approval at their next meeting.

Hearing no further public comments at 1:28 P.M. Commissioner Livingston made a motion to close the hearing. Commissioner French seconded and the motion carried.

Commissioner French made a motion to approve Resolution #2015-023 and the sketch plan for the Ramirez Minor Subdivision, subject to conditions stated in the resolution. Commissioner Livingston seconded and the motion carried.

Kim Dillivan, Planner II – Public Hearing/Special Use Permit and Site Plan Review to consider the application of Bowler Flats Energy Hub, LLC

Chairman Tilden opened a public hearing at 1:30 P.M. to consider the site plan review and a special use permit to allow a Major Utility on property described as SW ¼, S ½ NW ¼ of Sec. 22, T58N, R98W, 6th P.M., Park County, WY within zoning district General Rural-Powell (GR-P).

Mr. Dillivan reviewed the application for a Special Use Permit from Bowler Flats Energy Hub, LLC to place an electrical switch yard on the above described property northwest of the Town of Frannie. Access to the property is from CR-1XG and will only be infrequent suggesting that noise, traffic and dust will be minimal. The Wyoming Game and Fish determined the parcel is within the sage grouse core population area and the applicant must demonstrate that proposed development will not cause declines in Greater Sage-Grouse populations. Mr. Dillivan also reported that the PCPZ approved the application with conditions including sage grouse monitoring.

Chairman Tilden asked for public comment and Ryan Davis with Electrical Consultants, Inc. spoke as the owner's representative and stated that sage grouse monitoring is done by the Game and Fish.

Hearing no further public comments at 1:43 P.M. Commissioner Livingston made a motion to close the hearing. Commissioner French seconded and the motion carried.

Commissioner Livingston made a motion to approve Resolution #2015-024 for Bowler Flats Energy Hub, LLC, subject to conditions stated in the resolution. Commissioner French seconded and the motion carried.

Kim Dillivan, Planner II – Public Hearing to consider the variance application of Suzanne Cole for a subdivision connecting to a public water supply.

Chairman Tilden opened a public hearing at 1:45 P.M. to consider the variance application of Suzanne Cole for a subdivision connecting to a public water supply. The proposed subdivision (Daniel Minor) will divide the remainder of Lot 2, of Cole SS-138, into 3 lots. Lot 1 being 3.86 acres, Lot 2 being 5.02 acres, and Lot 3 will contain 13.23 acres. Parcels are at 5886 Greybull Hwy, located in Lot 56, T52N, R101W, 6th P.M., Park County, WY, in a General Rural 5-acre (GR-5) zoning district.

Mr. Dillivan stated that Northwest Rural Water tap exists for primary dwelling on Lot 1 but is not in use and a well provides domestic water that is considered potable. Northwest Rural Water lines are contiguous to the three lots, along Spicer Lane, Greybull Highway and Cole Lane however requiring public water connections prior to them being needed causes unnecessary expense to the developer.

Chairman Tilden asked the audience for comment and owner's representative Steven Follweiler from Holm Blough noted that the one water tap will likely be moved from one lot to another. Brian Sidwell commented that he has a contract to purchase Lot 2 and will likely tap into the Northwest Rural Water in the future.

Hearing no further public comments at 1:50 P.M. Commissioner French made a motion to close the hearing. Commissioner Livingston seconded and the motion carried.

Commissioner Livingston made a motion to approve Resolution #2015-025 for a variance application of Suzanne Cole for a subdivision connecting to a public water supply. Commissioner French seconded and the motion carried.

Kim Dillivan, Planner II – Public Hearing/Zoning Variance to consider a zoning variance application by Philip Lajaunie to allow a major wholesale business in a General Rural 35-acre (GR-35) zoning district

Chairman Tilden opened a public hearing at 1:50 P.M. to consider zoning variance application of Philip Lajaunie to allow a major wholesale business in a General Rural 35-acre (GR-35) zoning district. The proposed facility will be located in part of Lot 13, north and west of County Road 8VC, Sec. 5, T56N, R103W, 6th P.M., Park County, WY.

Planner Dillivan reviewed the application with the Commissioners stating that Mr Lajaunie would like to build a commercial water bottling plant at the above referenced property. This activity is not allowed in the GR-35 zoning area and would require a variance from the Commissioners. Should the variance be granted now a Special Use Permit would need to be granted in the future for the project to be built in three phases.

Chairman Tilden asked the audience for comment and owner's representative Bret Reed spoke of how Mr. Lajaunie would like to build a building that would be in harmony with the area and surroundings. Mr. Reed also stated that an economy of scale cannot be achieved without a bigger facility and such a facility cannot proceed without the variance. Colin Simpson who is also representing Mr. Lajuanie stated that there is already a commercial business on the property; it is operating out of Mr. Lajuanie's home at this time. Mr. Simpson asked the Commissioners to give serious consideration to granting the variance at this time and then hold the applicant to a very high standard when the Special Use Permit application is filed.

Commissioner French stated that he is opposed to any major industrial use happening in this area of Park County.

Hearing no further public comments at 2:20 P.M. Commissioner Livingston made a motion to close the hearing. Commissioner French seconded and the motion carried.

Commissioner French made a motion to deny Mr. Lajuanie's application for variance to allow a major wholesale business in a General Rural 35-acre (GR-35) zoning district. Commissioner Livingston seconded and the motion and discussion ensued. Commissioner French again spoke against the variance as did Commissioner Livingston. Chairman Tilden stated that he was in favor of personal property rights and felt that Mr. Lajuanie's personal property rights maybe being denied. Chairman Tilden called for the vote with Commissioners French and Livingston voting aye and Chairman Tilden voted nay. The application for variance was denied.

Kim Dillivan, Planner II – Public Hearing/Special Use Permit and Site Plan Review to consider the application of Richard and Mallie Zickefoose for a site plan review and a special use permit to allow a Campground on Crandall Estates Subdivision

Chairman Tilden opened a public hearing at 2:30 P.M. to consider a Special Use Permit (SUP) and Site Plan Review to consider the application of Richard and Mallie Zickefoose for a site plan review and a special use permit to allow a Campground on Crandall Estates Subdivision Lot 3, in Sec. 4, T56N, R106W, 6th P.M., Park County, WY within zoning district General Rural 5-acre (GR-5).

Mr Dillivan reviewed the details of the application stating the Zickefoose's would like to build nine 40' X 40' camper spaces on Lot 3 of the Crandall Estates Subdivision. The GR-5 zoning area has a variety of uses including campgrounds but also promotes open space as well. There are already several other structures on the Lot 3 and the report from the Planner states that the campground would be in harmony with the general uses surrounding the Lot 3. No additional utilities will be provided to the camp spots and access will be from the highway to Crandall Park Lane. Park County Weed and Pest reports the weed management plan has just been updated and the Game and Fish recommends bear proof trash receptacles be used throughout the proposed campground.

The Planner reviewed a number of written comments submitted mostly opposed to the SUP being granted however there were a few who are in favor of the project. He also reported that the PCPZ board recommended the Commissioners deny the SUP based on the grounds that the project was not in harmony with other uses and that it would have an adverse affect on adjacent property owners.

Chairman Tilden asked County Engineer, Brian Edwards he had a chance to review the project. Mr. Edwards reported that he'd reviewed the site plan and had concerns with the width of the access road and would recommend doubling the width if the SUP were granted.

Chairman Tilden then opened the floor to public comment; Keith and Donna Kohnke, Jeff Umphlet, Cindy Hart, Vern Browning, Wes Metzler, and Glen LaFollette all spoke against granting the SUP while RJ Lubick spoke in favor.

Mr. Zickefoose spoke in broad terms about the project and the history of the property and how he intends to see the project through.

Having run over the allotted time for the hearing Commissioner Livingston made a motion to continue the hearing on June 2, 2015 at 10:15 A.M. Commissioner French seconded and the motion carried.

Joe Tilden, Board of County Commissioners Chairman – Letter of Recognition and Retirement Plaque Presentation to Whitney Maslak, Office Assistant III, and Peggy Ruble, Executive Assistant, Park County Commissioners

Chairman Tilden presented service awards to Whitney Maslak for over two years of honorable service and to Peggy Ruble for 33 years of outstanding service to the people of Park County.

Adjournment

Commissioner Livingston made a motion to adjourn at 3:30 P.M. Commissioner French seconded and the motion carried.

Joseph E. Tilden, Chairman

Lee Livingston, Vice Chairman

Tim A. French, Commissioner

Loren Grosskopf, Commissioner

Bucky Hall, Commissioner

Attest:

Hans Odde on behalf of
Colleen Renner, County Clerk