

Park County Board of County Commissioners
Regular Meeting
Tuesday, March 7, 2017

Chairman Livingston called to order a regular meeting of the Board of County Commissioners of Park County, Wyoming, on Tuesday, March 7, 2017. Present were Chairman Lee Livingston, Vice Chairman Loren Grosskopf, Commissioners Joe Tilden, Tim French, Jake Fulkerson, and Clerk Colleen Renner.

Former Commissioner Hall led the audience in the Pledge of Allegiance.

Mike Mackey, Northwest Rural Water District (NWRD)
RE: Public Hearing: Inclusion of Real Property in Park County into the District without Election

Mr. Mackey requested the inclusion of real property in Park County into the NWRD without an election. The NWRD board and Department of Revenue have both approved this request. Commissioner Tilden made a motion to include the inclusion of real property in Park County and for the chair to sign, Commissioner Grosskopf seconded, and motion carried. Commissioner Tilden made a motion to come out of the Public Hearing, Commissioner Fulkerson seconded, and motion carried. Mr. Mackey gave a few updates regarding taps on the NWRD and about the moratorium within the district. The district is conducting a study. The draft should be finished around June 30 with action coming in July on their findings.

Action Items and Other Business:
Approve-Minutes

The minutes from February 21, 2017 were presented to the Board for approval. Commissioner Grosskopf moved to approve the minutes as presented, seconded by Commissioner French and motion carried.

Approve-Payroll

Payroll was presented in the amount of \$638,211.89 which included one bi-weekly and the monthly payroll to the Board for approval. Commissioner French moved to approve payroll, seconded by Commissioner Grosskopf and motion carried.

Approve-Vouchers

The following vouchers were presented to the Board for approval. Commissioner Fulkerson moved to approve the vouchers as presented seconded by Commissioner French and motion carried:

<u>Payee</u>	<u>Amount</u>
360 OFFICE SOLUTIONS	\$50.66
A & I DISTRIBUTORS	\$823.20
ABBAY CARPET OF CODY, L.L.C.	\$175.81
ALBERTSONS - SAFEWAY	\$259.30
AT&T MOBILITY	\$2,326.81
B & B FLEET SERVICE	\$2,490.37
BEAR CO., INC.	\$5,341.88
BIG HORN WHOLESALE, INC.	\$2,098.39
BLACK HILLS ENERGY	\$4,415.69
BLAIR'S MARKET	\$31.92
BLR/BUSINESS & LEGAL RESOURCES	\$383.20
BOB BARKER COMPANY	\$203.32
BRANDON-WINTERMOTE, KIMBERLY	\$89.04

BROCK, KRIS	\$128.40
BUSH, DEBORA	\$102.00
C BAR K PETROLEUM SERVICES, LLC-II	\$1,116.45
CDW GOVERNMENT, INC.	\$2,116.92
CENTURYLINK	\$2,433.45
CENTURYLINK BUSINES SERVICES	\$1.95
CHARTER COMMUNICATIONS	\$388.11
CHOICE AVIATION, LLC	\$166.75
CODY ACE HARDWARE	\$463.20
CODY ENTERPRISE	\$209.38
CODY WINNELSON CO.	\$26.99
CODY, CITY OF	\$22,035.81
COULTER CAR CARE CENTER	\$119.50
CROFT, KIMBALL	\$1,024.91
CRUM ELECTRIC SUPPLY CO.	\$1,691.08
D&G ELECTRIC, LLC	\$3,035.79
DELL MARKETING L.P., C/O DELL USA L.P.	\$3,117.43
FASTENAL	\$473.91
GILLETTE COLLEGE	\$2,100.90
GRAINGER	\$56.18
HANSON CHEMICAL INC.	\$1,376.24
HEARTLAND PAPER COMPANY	\$2,387.88
HONNEN EQUIPMENT CO.	\$185.40
HOTSY EQUIPMENT OF WYOMING, INC.	\$283.00
HOWARD, FRED L	\$92.28
IRWIN, K.T.	\$96.30
JACKS TRUCK & EQUIPMENT, INC.	\$230.39
KANE FUNERAL HOME	\$190.00
K-B COMMERCIAL PRODUCTS	\$1,360.13
KENCO SECURITY AND TECHNOLOGY	\$341.75
KINCHELOE PLUMBING & HEATING	\$11.85
LOEPER, DICK	\$1,997.71
LOEPER, JESSICA	\$2,330.00
MAJESTIC LUBE, INC.	\$129.90
MASTER'S TOUCH, LLC	\$6,150.00
McINTOSH OIL, INC.	\$3,396.22
MERCK SHARP & DOHME CORP.	\$1,822.12
MESSENGER & OVERFIELD, P.C.	\$222.20
MORRISON, MARION	\$91.20
MOTOR PARTS, INC.	\$31.31
NATIONAL BUSINESS SYSTEMS	\$1,468.45
NORTHWEST RURAL WATER DISTRICT	\$80.40
NORTHWEST WY FAMILY PLANNING	\$391.38
OFFICE SHOP, THE	\$1,076.93
O'REILLY AUTO PARTS	\$2.69
PARK COUNTY TREASURER	\$98.12
PAVEMENT MAINTENANCE, INC.	\$33,450.00
PENNO, KAYE	\$190.00
POSITIVE PROMOTIONS	\$521.73
POWELL ACE HARDWARE, LLC	\$179.25
POWELL LOCK	\$686.00
POWELL TRIBUNE, INC.	\$340.43
POWELL WELDING AND INDUSTRIAL SUPPLY LLC	\$77.50
POWELL, CITY OF	\$7,323.43
PUTNEY, LINDA	\$99.84
QUILL CORPORATION	\$224.68
REDWOOD TOXICOLOGY LABORATORY, INC.	\$149.96
RIMROCK TIRE CO - CODY	\$79.02
ROCKY MOUNTAIN CUSTOM PHOTOGRAPHIC	\$28.00
ROCKY MOUNTAIN POWER	\$204.23
SANDERS PLUMBNG & HEATNG, INC.	\$90.50
SHOSHONE OFFICE SUPPLY, INC.	\$730.69
SIMONTON, GEORGE L., ATTY AT LAW	\$80.00
SIMPSON, KEPLER & EDWARDS, LLC	\$50.00
STROUPE PEST CONTROL, CO.	\$95.00
SYSCO FOOD SERVICES OF MONTANA	\$4,353.45
TCT WEST, INC	\$9,801.06
VERIZON WIRELESS	\$26.97
VERIZON WIRELESS	\$70.91

VERIZON WIRELESS	\$321.17
VISA - #0191 - L. LIVINGSTON	\$642.95
VISIONARY COMMUNICATIONS, INC.	\$78.30
WAL MART COMMUNITY/GEMB	\$837.25
WALSH - GAFFIELD, NICOLE	\$9.42
WAYNE'S BOOT SHOP	\$100.00
WHITLOCK MOTORS	\$146.40
WYOMING DEPARTMENT OF EMPLOYMENT	\$190.24
WYOMING GUARDIAN AD LITEM PROGRAM	\$4,700.36
WYOMING INFORMATION TECHNOLOGY DIV	\$49.98
WYOMING TACTICAL SUPPLY	\$4,022.60
TOTAL	<u>\$155,293.87</u>

Approve-Monthly Earnings and Collections.

The monthly earnings and collection statements for the Clerk, Clerk of District Court, and Sheriff were presented for approval. Commissioner Tilden moved to approve, seconded by Commissioner French and motion carried.

Approve and allow Chairman to sign agreement between Park County and Engineering Associates for Bridge EGD Replacement (Jeremy R. Quist, Assistant County Engineer)

Mr. Quist reported that Brian Edwards and he have met with Engineering Associates to put together the agreement for Bridge EGD. It was sent to the county attorney and he had no comments or changes. Commissioner Grosskopf made a motion to approve and for the chair to sign, Commissioner Fulkerson seconded, and motion carried.

Discuss donating additional sick time (Mike Garza, Building and Grounds)

Mr. Garza came before the board for approval of an additional 40 hours of sick donation to an employee. Commissioner Fulkerson moved to let one employee donate an additional 40 hours, Commissioner Tilden seconded, and motion carried.

Request Wyoming County Commissioners Association (WCCA) provide funding for Wyoming Public Lands Initiative (WPLI) expenses

Bucky Hall came before the board requesting funds to pay for facilitator Tara Kuipers as she is no longer employed with UW Extension. Her charges for the latest meeting are \$450.00. Mr. Hall spoke with Gregory Cowan and WCCA is willing to pay the expenses but the bill needs to come from the Board. Mr. Hall will be attending the meeting in Lander and inquired if the commission would pay for his room. Commissioner Tilden made a motion to approve the bill for Tara Kuipers to be mailed to WCCA, Commissioner Grosskopf seconded. Mr. Hall will get in touch with WCCA regarding future bills. Commissioner Tilden made a motion to approve paying for Mr. Hall's room from his travel budget, Commissioner Grosskopf seconded and motion carried.

Consider/approve Merit Energy subleases

The County Attorney's office has reviewed the documentation regarding Merit subleasing to Gunwerks and USHEALTH Advisors which was requested on February 27th. Mr. Sanders, Operations Manager for Merit, will be notified by staff that the county accepts the sublease with the email and letter from Mr. Skoric

dated March 1 attached. Commissioner Tilden made a motion to proceed with the sublease, Commissioner Grosskopf seconded, and motion carried.

Consider/approve donations to Powell, Cody, Meeteetse High School Senior Classes of 2017 for graduation celebration

Commissioner French has been in favor of this for many years as it is a popular event. Commissioner Tilden made a motion to approve funding at same level as 2016, Commissioner French seconded: \$400-Cody, \$400-Powell, \$200-Meeteetse. Commissioner Grosskopf stated he feels these are parties and he has a hard time giving them money and while it's a worthy event, since it is a party, it should not be funded by Park County Funds. Commissioner Fulkerson is a firm believer in these events however; with declining revenues, he feels he cannot support them. Commissioner Tilden and French voted for, Commissioner Fulkerson and Grosskopf voted against, Chairman Livingston voted for to break the tie, and the motion passed.

Wyoming Business Council Grant (WBC)

Clerk Renner requested a moment to discuss the Grant Project with WBC. In reporting the completion of the contract, the WBC never received the documentation extending this contract. If we still intended to extend the contract, we would need to provide the information to them in a timely manner. Commissioner Tilden made a motion to proceed with the documentation to extend the grant with WBC and allow chair to sign, Commissioner French seconded and motion carried.

Executive Session pursuant to W.S. § 16-4-405 (a) (ii)

Commissioner Fulkerson moved to go into executive session pursuant to Wyoming State Statute 16-4-405(a) (ii), seconded by Commissioner Tilden and motion carried. No decisions were made in this session. Commissioner Grosskopf moved to come out of executive session, seconded by Commissioner Fulkerson and motion carried.

Commissioner Fulkerson made a motion to appoint Sarah Bierschwale as the Yellowstone representative for the Park County Travel Council, Commissioner Grosskopf seconded, Commissioner French opposed, and motion carried. Commissioner Tilden made a motion to reappoint Board Member Mike Darby to the county-at-large position, Commissioner French seconded, and motion carried.

Break for lunch

Hans Odde, First Deputy County Clerk

RE: Public Hearing: Transfer of Liquor license for Wapiti Lodge

4 G's has submitted an application to transfer into their name a full retail liquor license presently held by Wapiti Valley Inc. The Sheriff has no law enforcement concerns, they have paid the \$100 transfer fee and they have paid the legal advertising fees for both the Cody Enterprise and Powell Tribune. Commissioner Grosskopf made a motion to close the public hearing, Commissioner Tilden seconded, and motion carried. Commissioner French made a motion to allow the transfer of the liquor license, Commissioner Tilden seconded, and motion carried.

Linda Gillett, Planning Director

RE: Appeal of Formal Notice of Zoning Violation: Violation of 2015 Park County Development Standards and Regulations adopted September 15,

2015. A highway commercial business activity has been established on the property; this activity is not permitted in this Planning Area / Zoning District. Address: 7 Crandall Park Lane, Lot 3 Crandall Estates Subdivision, Sec. 4, T56N, R106W. Zoning District: General Rural 5-acre (GR-5)

This is a continuation of a previous hearing on the Zickefoose's appeal of the planning director's formal notice of violation of operating a highway commercial business in that zoning area.

Ms. Gillett reiterated that a formal notice of violation was mailed stating the violation.

Mr. Zickefoose and Attorney Dawn Scott discussed the various definitions of highway commercial business and do not feel they fall into this category. She stated they are a Bed & Breakfast (B&B), which they received a permit for. Prior to the 2015 regulations, there were no comments that included cabins but the regulations stated that a highway commercial business provides goods and services.

Ms. Scott stated a B&B is allowed 4 (four) sleeping quarters, 2 (two) in the main home and two in other outbuildings.

Ms. Gillett stated that at this time, this lot has 2 (two) main buildings and 4 (four) cabins, which goes against regulations. Nothing is stated in the permit allowing them to build more outbuildings than what the regulations for a B&B state. Accessory/housing and accessory/building are two different things. Zickefoose's stated they were given verbal approval by a prior Planning & Zoning employee to utilize the buildings as currently advertised. After lengthy discussions Commissioner Tilden stated he thought it boiled down to different definition understandings. There is also no written documentation to back up several conversations.

Commissioner French moved that the appeal be denied, seconded by Commissioner Tilden, and motion carried.

Adjourn.

Commissioner Tilden made a motion to adjourn, Commissioner Grosskopf seconded and the motion carried.

Lee Livingston, Chairman

Loren Grosskopf, Vice Chairman

Joseph E. Tilden, Commissioner

Tim A. French, Commissioner

Jake Fulkerson, Commissioner

Attest:

Colleen Renner, County Clerk