

Park County Board of County Commissioners
Regular Meeting
Tuesday, August 1, 2017

Vice Chairman Grosskopf called to order a regular meeting of the Board of County Commissioners of Park County, Wyoming, on Tuesday, August 1, 2017. Present were Vice Chairman Loren Grosskopf, Commissioners Joe Tilden, Tim French, Jake Fulkerson, and Clerk Colleen Renner.

Bill Panos, Director, Wyoming Department of Transportation led the audience in the Pledge of Allegiance.

Bill Panos, Director, Wyoming Department of Transportation (WYDOT) – RE: Update

Mr. Panos thanked the commission for allowing him to attend the meeting and update them on the projects WYDOT will be working on the next five years., The projects are: Chief Joseph Hwy Level/Chip Seal/Landslide Mitigation which includes approximately 14 miles at the cost of \$4.2M; Hwy 120 Meeteetse to Cody Level/Chip Seal/Overlay approximately 11 miles at the cost of \$4.7M; Hwy 120 Cody-Montana Level/Overlay/Chip Seal approximately 8 miles at the cost of \$3.6M; Hwy 120 Meeteetse to Cody (Meeteetse Rim) Level/Overlay/Chip Seal approximately 5 miles at the cost of \$2.8M; Hwy 120 Cody South to Meeteetse Level/Overlay/Chip Seal approximately 7 miles at the cost of \$6.2M.

The 2012-2022 Airport projects consist of \$6.2M for repairs on the taxi way and to acquire more land for Yellowstone Regional Airport. Powell Municipal Airport will receive \$4.1M for NAVA maintenance and relocation of the access road.

Chairman Lee Livingston joined the meeting at this time.

WYDOT also works with the public transit system in many communities., Thirteen million dollars was given to transit agencies in Park County with funding through the government grant programs. WYDOT works with local government on surface transportation, airport, and railroad projects that need to be accomplished.

Mr. Panos responded to a previously-provided question about the need for a stop light at Belfry and Powell Hwy. Traffic studies indicate the traffic numbers are not there to see a federal investment, but risk management may make it warranted and there are alternatives to accomplish projects with counties and cities.

Commissioner French asked questions regarding the 5 to 3 lane highway between Cody and Powell and the danger it causes at Corbett Bridge, which is the pinch point at the junction of the highway and County Road 2AB. Mr. Panos was not aware of this problem and will do some investigating and ways to make this area safer for all travelers.

Mr. Panos gave an overview of WYOLINK. WYDOT is the accountable organization and continues to approach the service from governance, finance and technical aspects.

Mr. Panos addressed the issue of Yellowstone residents' vehicle and driver's license requirements. WYDOT is establishing a relationship with Xanterra and are working on an agreement that will allow Teton County, Park County and the State DMV to establish a remote office three times a year to register employees. This program will begin next year and they are working on details of when and how to accomplish this plan.

Action Items and Other Business:

Approve-Minutes

The minutes from July 18, 2017 were presented to the Board for approval. Commissioner Tilden moved to approve the minutes as presented, seconded by Commissioner Grosskopf and motion carried.

Approve-Payroll

Payroll was presented in the amount of \$703,084.93 which included one bi-weekly payroll, one-time bonus and health insurance to the Board for approval. Commissioner French moved to approve payroll, seconded by Commissioner Tilden and motion carried.

Approve-Vouchers

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

Payee	Amount
A & I DISTRIBUTORS	\$854.46
ALBERTSONS - SAFEWAY	\$94.07
ALDRICH'S - POWELL	\$80.17
ART SAND & STEEL	\$65.00
AT&T MOBILITY	\$2,220.95
ATCO INTERNATIONAL	\$172.00
BAERENWALD, HOLLY	\$128.94
BEAR CO., INC.	\$866.20
BEARTOOTH ELECTRIC COOP	\$73.48
BIG HORN RURAL ELECTRIC COMPANY	\$308.84
BIG HORN WHOLESALE, INC.	\$1,639.07
BIG VALLEY BEARING & SUPPLY, INC.	\$25.92
BLACK HILLS ENERGY	\$1,415.84
BLAKEMAN PROPANE, INC.	\$95.15
BLOEDORN LUMBER - POWELL	\$193.63
BOB BARKER COMPANY	\$368.00
BRADFORD SUPPLY CO.	\$140.49
CAROLINA SOFTWARE	\$357.70
CARQUEST AUTO PARTS - #064250	\$1,568.29
CARQUEST AUTO PARTS - #274890	\$265.87
CDW GOVERNMENT, INC.	\$2,531.67
CENTURYLINK	\$2,905.34
CENTURYLINK BUSINES SERVICES	\$7.47
CHARTER COMMUNICATIONS	\$488.16
CHOICE AVIATION, LLC	\$171.16
CODY ACE HARDWARE	\$156.37
CODY ENTERPRISE	\$761.76
COULTER CAR CARE CENTER	\$128.50
D&G ELECTRIC, LLC	\$863.12
DE HAAN ELECTRONICS	\$885.00
DIAMOND TRAFFIC PRODUCTS	\$267.24
DICK JONES TRUCKING	\$2,348.28
ELLIOT RIVERS PUBLISHING CO.	\$135.00
EMERALD SERVICES, INC.	\$80.00
FASTENAL	\$13.48
GALLS, LLC	\$8.99
GRAINGER	\$194.42
HANSON CHEMICAL INC.	\$326.61
HEARTLAND PAPER COMPANY	\$1,104.76
HOTSY EQUIPMENT OF WYOMING, INC.	\$368.50
IVERSON SANITATION	\$50.00
JACKS TRUCK & EQUIPMENT, INC.	\$244.41
K-B COMMERCIAL PRODUCTS	\$610.27
KEEGAN, KRISJANSONS & MILES, PC	\$7,250.34
KEELE SANITATION	\$2,347.12
KINCHELOE PLUMBING & HEATING	\$189.00
KOREM CORPORATION	\$2,791.80
LEON UNIFORM COMPANY, INC.	\$1,122.41
LINTONS BIG R, INC.	\$334.36
MAJESTIC LUBE, INC.	\$57.95
MATTHEW BENDER & CO., INC.	\$157.10
MCBROOM, MATTHEW A.	\$23.97
McINTOSH OIL, INC.	\$5,402.08
MERCK SHARP & DOHME CORP.	\$2,052.86
MOHLER, TYCEE JO	\$1,196.16
MONTANA-DAKOTA UTILITIES CO.	\$23.63

MOTOR PARTS, INC.	\$93.56
MOUNTAIN CONSTRUCTION COMPANY	\$42,291.92
MOUNTAIN WEST COMPUTER	\$15.99
MURPHY, KATHERINE	\$5.65
NAPA AUTO PARTS	\$5.52
NATIONAL ASSOCIATION OF LEGAL ASSISTANTS	\$140.00
NATIONAL BUSINESS SYSTEMS	\$761.56
NORCO, INC.	\$23.52
OFFICE SHOP, THE	\$2,526.12
OLSEN, RACHEL	\$25.79
ONLINE WEB SERVICE US, INC.	\$499.00
O'REILLY AUTO PARTS - POWELL	\$5.01
PILCH ENGINEERING INC., PC	\$8,439.00
PISTACHIO ALLEY PHOTOGRAPHY	\$250.00
POJMAN, LEDA	\$27.82
POSTMASTER, CODY WY	\$196.00
POWELL ACE HARDWARE, LLC	\$567.03
POWELL ELECTRIC	\$64.17
POWELL TRIBUNE, INC.	\$267.22
POWELL, CITY OF	\$9,321.21
RED BARN	\$45.13
ROCKY MOUNTAIN INFO NETWORK	\$125.00
ROCKY MOUNTAIN POWER	\$1,317.64
RODRIGUEZ, ROGELIO & MARIA	\$301.20
SELBYS, INC.	\$60.96
SHOSHONE OFFICE SUPPLY, INC.	\$456.44
SIMPSON, KEPLER & EDWARDS, LLC	\$120.00
SKORIC, BRYAN	\$55.64
STATE OF WYOMING	\$3,268.52
SYSCO FOOD SERVICES OF MONTANA	\$1,445.11
THREATTRACK SECURITY, INC	\$3,300.00
TRIPLE L SALES	\$357.13
VARDIMAN, JEREMIAH	\$150.87
VERIZON WIRELESS	\$50.04
VISA - #0126 - L. GILLETT	\$15.00
WADDELL, TIM	\$294.25
WAL MART COMMUNITY/GEMB	\$415.61
WAYNE'S BOOT SHOP	\$100.00
WESTERN EMULSIONS INC	\$91,499.13
WHITLOCK MOTORS	\$195.63
WYOMING DEPARTMENT OF HEALTH	\$9,562.97
WYOMING DEPT. OF WORKFORCE SERVICES	\$14,602.00
WYOMING FIRE SAFETY, LC.	\$45.15
WYOMING INFORMATION TECHNOLOGY DIV	\$53.07
WYOMING WATER WORKS	\$54.00
YANKEE CAR WASH	\$10.00
TOTAL	\$241,959.94

Approve and allow Chairman to sign metal salvage contract with Western Metals Recycling, LLC (Travis Hill, Assistant Solid Waste Manager)

Commissioner Fulkerson made a motion to approve the contract agreement as presented, Commissioner Grosskopf seconded and motion carried.

Approve and allow Chairman to sign reimbursement request #25, final retainer request for CWSRF #124 (Sandie Morris, Solid Waste Office Manager)

Approve and sign letter relinquishing remaining funds from CWSRF Loan #124 (Sandie Morris, Solid Waste Office Manager)

Park County will relinquish funds in the amount of \$1,498,259.67 with the completion of the Meeteetse, Clark and Powell landfills. The phased reclamation of Area A at the Regional Landfill in Cody is also completed. The final amount reimbursed for all of the projects will be \$3,951,740.33. The original awarded amount was \$5,450,000.00. Commissioner Grosskopf made a motion to allow the

chair to sign the reimbursement request and to sign the letter, Commissioner Tilden seconded and motion carried.

Discuss donating additional sick time (Mike Garza, Buildings & Grounds Superintendent)

An employee is in need of additional sick time. Commissioner Tilden made a motion to allow additional sick leave donations, Commissioner Fulkerson seconded and motion carried.

Set and approve FY 2017-18 Special District Mill Levies (Terrence Call for Pat Meyer, Park County Assessor)

Commissioner Grosskopf made a motion to approve the mill levy as presented, raising total taxes in the amount of \$43,423,156.00, Commissioner Fulkerson seconded and motion carried.

Certify Irrigation District Assessments (Colleen Renner, Park County Clerk)

Commissioner French moved to certify irrigation assessments for Heart Mountain Irrigation District, Willwood Irrigation District and Cody Canal Irrigation District, Commissioner Fulkerson seconded and motion carried.

Approve and allow Chairman to sign malt beverage permit for Smith Mansion Poker Run Fundraiser, August 26, 2017 (Hans Odde, First Deputy Clerk)

Debbie's Junction LLC is requesting a Malt Beverage permit for the Smith Mansion Poker Run Fundraiser. Big Horn County confirms that they are in good standing and hold a current and active license. Commissioner Tilden made a motion to approve this request and allow the chair to sign, Commissioner Fulkerson seconded and motion carried.

Request permission to advertise for Buffalo Bill Dam and Visitor Center board position (Nicholle Gerharter, Executive Assistant)

Ms. Gerharter reported there was a resignation received for one of the board of directors. She requested permission to advertise August 8 and 15 and to schedule interviews for September 5. Commissioner Grosskopf made a motion to allow for the advertising of this position, Commissioner Tilden seconded and motion carried.

~ Convene as Board of Equalization ~

RE: Consider request to allow phone attendance at hearing

The Board of Equalization heard a request from Shoshone First National Bank to attend the equalization hearing via phone. Park County Attorney Bryan Skoric, representing Park County Assessor Pat Meyer, requested that they appear in person to present their case. Commissioner Grosskopf made a motion to deny the request for a phone conference, Commissioner Tilden seconded and motion carried.

Commissioner Tilden made a motion to adjourn as Board of Equalization, Commissioner French seconded and motion carried.

Linda Gillett, Planning Director – RE: Public Hearing: Southfork Bridge Flood Permit 5-17, replacement of bridge over the Southfork River and reroute a portion of existing Road 6QS

Ms. Gillett reported this is a bridge replacement project and placement of bank protection located approximately 14 miles from Cody. The current bridge has insufficient clearance for debris in flood conditions and is subject to scour and erosion. The existing bank protection is inadequate; one portion consists of old car bodies that will be removed.

The new bridge will be a 150 foot, three span, two lane structure and has been reviewed by WYDOT. Landowners were notified in the area and no

comments were received. Replacement of this structure will improve safety of access to properties in times of flood for ordinary and emergency vehicles. Regulations and enforcement of existing laws of the floodplain are met with this permit.

There being no public comments Commissioner Tilden made a motion to close the public hearing Commissioner Grosskopf seconded, motion carried.

Commissioner Tilden moved to approve the flood plain permit and Commissioner French seconded. Commissioner Grosskopf questioned approving the resolution with blanks. Park County Engineer Brian Edwards recommended leaving the amounts blank for flexibility purposes. Commissioner Grosskopf made a motion to amend the motion by rewording the resolution to include that fill will come from multiple sources and amount as need. Motion carried. **RESOLUTION 2017-36.**

Linda Gillett, Planning Director – RE: Public Hearing: Trout Creek Ranch Flood Permit 11-17, stabilize 480 linear feet of streambank along the north fork of the Shoshone River, 3550 Northfork Highway

Ms. Gillett reported this is a bank stabilization project along 480 feet of river bank to protect wells and structures by placing 730 cubic yards (cy) of rock to bankfull elevation and a formed terrace above with vegetation consisting of 410 cy of topsoil and other fill. No comments have been received from the neighbors.

The river is eroding banks on property and unabated may threaten structures. The purpose of the project is to protect the property and structures from erosion.

The location of the pit where the riprap is trucked should be identified and haul schedule should be clarified.

Chairman Livingston asked for public comments. Brian Edwards, Park County Engineer, asked about the fill of cross section and how far back the bank will be from the original start point.

Chris Wasia of Genesis Engineering, Inc. stated it will mimic the existing bank and will remain at natural break. It will not fill into the river and will not decrease the cross section Commissioner Grosskopf asked about the work schedule. Mr. Wasia stated they are planning for August or September of this year but it may be pushed out a whole year. Commissioner French asked staff how long the resolution is effective and Ms. Gillett stated one year plus the option to ask for a 6-month extension. Commissioner French requested posting signs similar to “trucks entering highway” to warn the public during the project.

There being no further public comment Commissioner Tilden made a motion to close the public hearing Commissioner Grosskopf seconded, motion carried.

Commissioner Fulkerson motion to approve flood plain permit, Commissioner French seconded, and motion carried. **RESOLUTION 2017-37**

Jerry Parker, Administrator, Fire Protection District No. 2, Park County – RE: Consider resolution to implement burn ban

Mr. Parker reported that with the cooler, wetter weather, he does not feel the need to implement a burn ban at this time. He may readdress the issue of the weather turns hotter and dryer and possibly in anticipation of the upcoming eclipse.

Hans Odde, First Deputy Clerk

RE: Continuation of Public Hearing: New liquor license application; Brad Wagler, DBA Wagler Meats License #2017-3

Mr. Odde stated that after the last meeting and public hearing Linda Gillett, Planning Director, met with Mr. Wagler and explained the issues with septic system. Mr. Wagler decided to change his application to an off-premise license. If the septic system is corrected, he can request a new license during the renewal process and by going through Planning and Zoning. There were no public comments.

Commissioner Tilden made a motion to close the public hearing, Commissioner Grosskopf seconded and motion carried.

Commissioner Tilden made a motion to approve the liquor license, Commissioner French seconded and motion carried.

Bill Crampton, Public Health Nurse Manager & Cathy Roes, President, Northwest Wyoming Family Planning (NWFP) – RE: Consider proposal to share space at Powell Annex

Mr. Crampton came before the board requesting consideration of NWFP's sharing space at the Powell Annex on Mondays from 1-5 p.m. The Powell office for NWFP was closed several years ago and they feel this could be a "win-win" situation for both entities providing referrals to each other. Title 10 and other programs have had a gap since the closure and they would like this opportunity to offer these to the public in Powell again. After discussion, it was decided to charge \$30.00 per month for the square footage involved. Mr. Crampton will work on a Memorandum of Understanding for all parties to sign.

Commissioner Fulkerson made a motion to approve NWFP's request for shared space with Public Health in the Powell Annex for four hours per week at a cost of \$30 per month, Commissioner Tilden seconded, Commissioners Grosskopf & French opposed the motion, Chairman Livingston voted Aye and motion carried.

Frances Clymer, Park County Library System Director & Greg Bevenger, Park County Library Board – RE: Request permission to hire replacement employees

Ms. Clymer requested permission to replace employees who have resigned in the Cody and Powell Branch Libraries. Commissioner Fulkerson clarified that the Powell Branch will be replacing one full-time and one part-time position and at the Cody Branch the replacements will total 50 hours, either with two part-time employees or one full-time and one part-time employee. No changes should be needed to the budget unless the full-time positions are in different insurance categories.

Commissioner Tilden made a motion to approve the request Commissioner Fulkerson seconded and motion carried.

Linda Gillett, Planning Director – RE: Continuation of Public Hearing: Forconi Group Home Special Use Permit-155

Chairman Livingston announced the continuation of the public hearing, held to answer questions and allow for public comment. Commissioner Fulkerson asked staff about lighting and other regulations referenced in a draft resolution. Kim Dillivan, Planner II, stated those parameters are found in the Planning & Zoning Regulations.

Chairman Livingston opened the floor to public comment, asking speakers to state their name for the record and address the Chairman only.

Comments were made in opposition of the permit were heard from Scott Hicswa, Deb Nielsen, John Parsons, Stefani Hicswa and Brad Bonner of Bonner Law Firm on why this 24-hour for-profit business should not be allowed in the area.

Marian Morrison, Mark Westerhold, Lisa Mann and Justina Gray spoke in favor of the permit, commenting on the positives of a business like this for the special needs clients in our area.

Brian Edwards, County Engineer researched the usage of Road 13. It is classified as a secondary road which allows 700 vehicles a day. At the present time, the traffic count showed 250 vehicles on any given day.

After further discussion, Chairman Livingston suggested a continuation of the public hearing to allow the applicant to complete the application. Ms. Forconi stated at this time she could have just built the home and not applied for an SUP. Ms. Gillett stated this is a group home and needs to be reviewed as a group home and not a business.

Commissioner Grosskopf made a motion to continue the public hearing to August 15 at 1 p.m., with no end time, to review with application and finished site plans, Commissioner Fulkerson seconded 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