

**Park County Board of County Commissioners**  
**Regular Meeting**  
Tuesday, September 19, 2017

Chairman Livingston called to order a regular meeting of the Board of County Commissioners of Park County, Wyoming, on Tuesday, September 19, 2017. Present were Chairman Lee Livingston, Vice Chairman Loren Grosskopf, Commissioners Joe Tilden, Tim French, Jake Fulkerson, and Clerk Colleen Renner.

Clerk Renner led the audience in the Pledge of Allegiance.

**Action Items and Other Business:**  
**Approve-Minutes**

The minutes from August 29, September 5 and September 12, 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 \$383,318.12 for one bi-weekly payroll 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 Fulkerson moved to approve the vouchers as presented seconded by Commissioner Tilden and motion carried:

| <b>Payee</b>                       | <b>Amount</b> |
|------------------------------------|---------------|
| 360 OFFICE SOLUTIONS               | \$638.00      |
| ALBERTSONS - SAFEWAY               | \$130.72      |
| AXIS FORENSIC TOXICOLOGY, INC.     | \$250.00      |
| BAILEY ENTERPRISES, INC.           | \$365.67      |
| BAILEY ENTERPRISES, INC.           | \$5,010.47    |
| BEAR CO., INC.                     | \$8,638.89    |
| BEARTOOTH ELECTRIC COOP            | \$70.55       |
| BENNETT, M.D., THOMAS L.           | \$1,950.00    |
| BIG HORN CO-OP MARKETING ASSN.     | \$846.78      |
| BIG HORN RADIO NETWORK             | \$336.60      |
| BIG HORN RURAL ELECTRIC COMPANY    | \$340.86      |
| BIG HORN WHOLESALE, INC.           | \$1,429.55    |
| BIG SKY COMMUNICATIONS, INC.       | \$195.00      |
| BIG VALLEY BEARING & SUPPLY, INC.  | \$340.93      |
| BLACK BOX NETWORK SERVICES         | \$2,526.00    |
| BLACK HILLS ENERGY                 | \$1,405.77    |
| BLAIR'S MARKET                     | \$29.66       |
| BLOEDORN LUMBER - POWELL           | \$77.98       |
| BOB BARKER COMPANY                 | \$524.73      |
| BOBCAT OF THE BIG HORN BASIN, INC. | \$449.34      |
| BOONE'S MACHINE SHOP               | \$252.30      |
| BRUMBAUGH, MICHAEL                 | \$20.00       |
| CARQUEST AUTO PARTS - #064250      | \$759.71      |
| CARQUEST AUTO PARTS - #274890      | \$180.99      |
| CARROLL, DEBRA                     | \$15.98       |
| CARVER, FLOREK & JAMES, CPA'S      | \$20,000.00   |

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| CDW GOVERNMENT, INC.                    | \$610.78    |
| CENTURYLINK                             | \$2,886.34  |
| CENTURYLINK BUSINES SERVICES            | \$22.53     |
| CHARTER COMMUNICATIONS                  | \$99.99     |
| CHRISTIE, LOGAN                         | \$139.10    |
| CODY ACE HARDWARE                       | \$241.45    |
| CODY ENTERPRISE                         | \$3,240.50  |
| CODY OVERHEAD DOOR CO.,LLC              | \$45.50     |
| CODY PAINT & BODY, INC.                 | \$827.35    |
| CODY WINNELSON CO.                      | \$135.34    |
| CODY, CITY OF                           | \$2,587.91  |
| COPENHAVER KATH KITCHEN & KOLPITCKE LLC | \$400.00    |
| CORRECTIONAL HEALTHCARE COMPANIES, INC. | \$19,121.48 |
| COULTER CAR CARE CENTER                 | \$196.50    |
| CRISIS INTERVENTION SERVICES            | \$2,784.07  |
| CRUM ELECTRIC SUPPLY CO.                | \$214.20    |
| CUSTOM AIR, INC.                        | \$77.00     |
| CUSTOM DELIVERY SERVICE, INC.           | \$26.11     |
| DE HAAN ELECTRONICS                     | \$1,729.25  |
| DIAMOND TRAFFIC PRODUCTS                | \$265.24    |
| EMERALD SERVICES, INC.                  | \$80.00     |
| ENERGY LABORATORIES, INC.               | \$97.00     |
| FREMONT BEVERAGES, INC.                 | \$16.00     |
| GALLS, LLC                              | \$69.49     |
| GARLAND LIGHT & POWER CO.               | \$1,020.63  |
| GLASSMASTERS                            | \$290.00    |
| GUERTIN, ANDREW                         | \$34.51     |
| HAL LEE PLUMBING & HEATING, LLC         | \$2,157.90  |
| HANSON CHEMICAL INC.                    | \$391.74    |
| HEARTLAND PAPER COMPANY                 | \$564.42    |
| INREACH, INC.                           | \$502.98    |
| INTERSTATE TIRE SERV. INC               | \$150.00    |
| IVERSON SANITATION                      | \$50.00     |
| KANE FUNERAL HOME                       | \$570.00    |
| KEEGAN, KRISJANSONS & MILES, PC         | \$400.00    |
| KEELE SANITATION                        | \$2,928.04  |
| KENCO SECURITY AND TECHNOLOGY           | \$875.00    |
| KINCHELOE PLUMBING & HEATING            | \$647.39    |
| LEON UNIFORM COMPANY, INC.              | \$567.47    |
| LINTONS BIG R, INC.                     | \$584.83    |
| MAJESTIC LUBE, INC.                     | \$124.45    |
| MARQUIS AWARDS & SPECIALTIES, INC       | \$44.55     |
| MCBROOM, MATTHEW A.                     | \$18.64     |
| MCCARTY, REED, & EARHART, ATTYS L.C.    | \$500.00    |
| McINTOSH OIL, INC.                      | \$9,913.18  |
| MEETEETSE, TOWN OF                      | \$121.70    |
| MICKELSON, JOSEPH D                     | \$306.02    |
| MONTANA PETERBILT, LLC                  | \$277.09    |
| MONTANA-DAKOTA UTILITIES CO.            | \$498.76    |
| MORGENWECK, BARB                        | \$81.25     |
| MORRISON MAIERLE INC                    | \$672.75    |
| MOUNTAIN VALLEY MOTORSPORTS             | \$69.85     |
| MOUNTAIN WEST COMPUTER                  | \$24.95     |
| MURDOCH OIL, INC.                       | \$17,519.20 |
| NAPA AUTO PARTS                         | \$55.16     |

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| NATRONA COUNTY LEGAL DEPARTMENT          | \$2,565.00   |
| NORCO, INC.                              | \$24.30      |
| NORMONT EQUIPMENT CO                     | \$1,069.27   |
| NORTHWEST WY FAMILY PLANNING             | \$391.38     |
| OFFICE SHOP, THE                         | \$3,177.90   |
| O'REILLY AUTO PARTS - CODY               | \$13.99      |
| PALMER, ANDREW                           | \$50.00      |
| PARK COUNTY INSURANCE                    | \$55,000.00  |
| PENNO, KAYE                              | \$570.00     |
| PENWELL, STEVE                           | \$54.95      |
| POSTMASTER, CODY WY                      | \$94.00      |
| POWELL ELECTRIC                          | \$24.72      |
| POWELL LOCK                              | \$217.00     |
| POWELL TRIBUNE, INC.                     | \$1,926.37   |
| PRO-BUILD - CODY                         | \$3.39       |
| PRODUCTION MACHINE CORP.                 | \$81.70      |
| RIMROCK TIRE CO - CODY                   | \$508.03     |
| RIMROCK TIRE CO - POWELL                 | \$33.34      |
| ROCKY MOUNTAIN POWER                     | \$754.39     |
| ROCKY MOUNTAIN SPORTS                    | \$27.99      |
| SAGE CREEK REPORTING                     | \$300.00     |
| SANOFI PASTEUR, INC                      | \$845.65     |
| SHOSHONE OFFICE SUPPLY, INC.             | \$246.36     |
| SPRINGHILL SUITES - CHEYENNE             | \$1,680.00   |
| STOTZ EQUIPMENT                          | \$262.90     |
| STROUPE PEST CONTROL, CO.                | \$320.00     |
| SYSCO FOOD SERVICES OF MONTANA           | \$1,780.41   |
| THERMO FLUIDS, INC.                      | \$80.00      |
| THOS. Y. PICKETT & CO., INC.             | \$1,650.00   |
| TITAN MACHINERY                          | \$1,659.92   |
| TRI STATE TRUCK & EQUIP, INC             | \$87.00      |
| TRIPLE L SALES                           | \$87.19      |
| VERIZON WIRELESS                         | \$50.04      |
| VISA - #0068 - B. POLEY                  | \$121.10     |
| VISA - #0100 - B. SKORIC                 | \$200.00     |
| VISA - #0118 - P. MEYER                  | \$1,341.24   |
| VISA - #0126 - L. GILLETT                | \$495.00     |
| VISA - #0191 - L. LIVINGSTON             | \$421.88     |
| VISA - #0225 - W.E. CRAMPTON             | \$1,351.13   |
| VISA - #9259 - M. KNAPP                  | \$11.68      |
| VISA - #9358 - T. WADDELL                | \$2,607.81   |
| VISA - #9408 - B. EDWARDS                | \$930.90     |
| VISA - #9507 - C. RENNER                 | \$976.41     |
| VISA - #9689 - M. CONNERS                | \$990.46     |
| VISA - #9721 - M. GARZA                  | \$86.17      |
| VISA - #9754 - T. BARRETT                | \$1,699.34   |
| VISA - #9762 - S. STEWARD                | \$1,231.59   |
| WALSH - GAFFIELD, NICOLE                 | \$390.76     |
| WESTERN EMULSIONS INC                    | \$140,824.30 |
| WHITLOCK MOTORS                          | \$162.42     |
| WILLIAMS & SONS, LLC                     | \$220.00     |
| WIRELESS ADVANCED COMMUNICATIONS, INC.   | \$2,067.60   |
| WPCI CONSULTANTS, INC.                   | \$117.00     |
| WY OFFICE OF STATE LAND & INVESTVESTMENT | \$180,403.12 |
| WYDOT - FINANCIAL SERVICES               | \$255.75     |

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| WYOMING DEPARTMENT OF EMPLOYMENT         | \$190.93                   |
| WYOMING DEPARTMENT OF HEALTH             | \$336.00                   |
| WYOMING DEPARTMENT OF HEALTH/PBL HLTH LB | \$260.00                   |
| WYOMING REPORTING SERVICE INC            | \$639.00                   |
| WYOMING STATE BAR                        | \$95.00                    |
| WYOMING STATE PUBLIC DEFENDER            | \$400.00                   |
| WYOMING WATER WORKS                      | \$218.00                   |
| YANKEE CAR WASH                          | \$108.00                   |
| <b>TOTAL</b>                             | <b><u>\$539,451.85</u></b> |

**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 Grosskopf moved to approve, seconded by Commissioner Tilden and motion carried.

**Approve correction of clerical mistakes on Resolution 2017-40 (Linda Gillett, Planning Director)**

Ms. Gillett presented the corrections to the board for approval which included adding an (s) to the word document (page 4), and, according to Park County Attorney, Condition #2 under “Now, therefore...” should have read “up to 4 residents having mental and/or physical disabilities.” Commissioner Tilden made a motion to approve the changes to Resolution 2017-40 as presented, Commissioner Fulkerson seconded and motion carried. **RESOLUTION 2017-41**

**Request permission to hire replacement employee (Tim Waddell, Solid Waste Manager)**

Mr. Waddell reported losing two gate attendants in the last month. One position was approved to be filled already and the other position is a 29 ½ hour position that was recently vacated. It will be replaced a step lower than the current employee was earning. Commissioner Fulkerson made a motion to approve the request to hire, Commissioner Tilden seconded and motion carried.

**Approve Health, Safety & Wellness Committee’s incentive program amounts (Colleen Renner, Park County Clerk)**

Commissioner Grosskopf asked about the full incentive sheet which was not presented today as it is still being updated. The request is to approve the dollar amounts for the incentive payout. Commissioner Grosskopf made a motion to approve the dollar amounts as presented with the remaining documentation to come at a later date, Commissioner Tilden seconded and motion carried.

**Commissioner Grosskopf – RE: Update on Wyoming County Commissioners Association Washington, DC trip**

Commissioner Grosskopf reported there were eleven who went on this “PILT Fly-in” trip. Discussions included Payment in Lieu of Taxes, Secure Rural Schools, the Endangered Species Act, Bureau of Land Management (BLM) updates, Resource Planning 2.0, Environmental Impact Statements, grizzly bears and wolves, to name a few. Senator Enzi and Representative Cheney received the Sheep Mountain letter as did BLM. Senator Barrasso’s was mailed. There was discussion of forest fires, forest management, wildfire prevention, and natural resource extraction. The attitude in DC is entirely different than the past.

**Jennifer Tippetts, Powell Medical Foundation – RE: Consider letter of support for Mineral Royalty Grant Application from Powell Hospital District for ambulance for hospital emergency department**

Ms. Tippetts came to the board requesting a letter of support to replace an increasingly unreliable ambulance. They have raised 54.5% of the monies needed through local grants and contributions. They would like to request the remaining

45% from the State Lands & Investment Board. Commissioner Fulkerson made a motion to draft a letter of support for the Board to sign, Commissioner Tilden seconded and motion carried.

**Kim Dillivan, Planner II – RE: Public Hearing: Sean Dimsey is requesting a variance to LUC-102 sign regulations that would allow off-site businesses advertisement**

Chairman Livingston opened the Public Hearing. Mr. Dillivan brought before the Board a variance request to LUC-102 that allows for signs, billboards, and associated structures except those which directs attention to a business, commodity, service, entertainment or attraction sold, offered or existing elsewhere than upon the same parcel of land where sign is displayed. The applicant has an approved building permit (2017-128) for a sign/billboard. The location is approximately 19 miles west of Cody on the Northfork Hwy.

Legal notices have been met. LUC-102 was approved by the Commission on November 4, 1993. Public comments were received in opposition of the request. After discussion and questions to the staff, Chairman Livingston and Commissioner Tilden asked questions of the applicant. The Chair opened the floor for public comments with the reminder to direct comments to the chair and state their name for the record.

Bob Beale, for the Absaroka Mountain Meadows Subdivision, and William Johnson both spoke in opposition and asked those present to raise their hands if they were against the variance. Karl Dembik, Ira Fellows, Pia Brauser, Marjorie Tallen, and Elaine Haberland also commented in opposition. Amanda Seibert spoke in favor of the variance.

Commissioner French stated he was struggling with this request. Commissioner Grosskopf commented that at the last land use review, there were no public comments on changes to the sign variance.

Commissioner Tilden made a motion to close the Public Hearing, Commissioner Fulkerson seconded and motion carried. Commissioner Fulkerson noted that none of the five standards of review were fulfilled.

Commissioner Tilden made a motion to deny the variance and Commissioner Fulkerson seconded. Commissioner French opposed, and motion carried. **RESOLUTION 2017-42.**

**~ Convene as the Board of Equalization ~**

Hearing Officer Ed Luhm took over the proceeding to deliberate in the matter of the tax protest of Merit Energy Company, Docket No. 2017-01. These proceedings are being electronically recorded. Both sides have submitted their findings of fact to the Board.

The depreciation law was discussed at length, with regards to replacement cost, trend cost, residual cost and how the parties disagree. The Board noted that operating an oil and gas field requires all equipment to be kept in good working condition. Merit Energy had the opportunity to ask for a review of each piece of equipment assessed and come with evidence stating different values.

After all comments and questions were presented and discussed, Commissioner Grosskopf made a motion to affirm the Assessor's valuation and deny the appeal, Commissioner Livingston seconded and motion carried. The proposed order will be presented to the Board before the October 1 deadline.

Chairman Livingston called to adjourn as the Board of Equalization. Commissioner Grosskopf made the motion to adjourn, Commissioner Tilden seconded and motion carried.

**Break for Lunch**

**Bill Crampton, Public Health Nurse Manager – RE: Public Health monthly update; request permission for out of state travel for Kimball Croft and request permission to hire replacement employee**

Mr. Crampton reported there is a downward trend in total contacts. With further investigation, it came to his attention some of the staff were not charting and reporting in to the system.

Mr. Crampton is seeking permission for Kimball Croft to travel to Aniston, Georgia and San Diego for CDC and Emergency Preparedness training. These costs are covered through the grant the county receives. Commissioner Tilden made a motion to allow the out-of-state travel, Commissioner Grosskopf seconded and motion carried.

Flu season is coming and the dates are set for the clinics in Powell - October 4 at the Fairgrounds, and Cody - October 18 at the Cody Auditorium. The cost is \$25 for adults and \$20 for children. There will be clinics set up in surrounding areas but dates are not confirmed at this time.

Northwest Wyoming Family Planning will do a walk through in a week and then will be up and running in the Annex.

Mr. Crampton received a letter of resignation from the grant nurse in Powell. She will be leaving in 30 days. The funds for this position come through a grant, but they are still classified as a county employee. Commissioner Grosskopf made a motion to replace the grant nurse in Powell, Commissioner Tilden seconded and motion carried.

#### **Scott Steward, Park County Sheriff – RE: Discuss disposal of the DARE car**

Mr. Steward requested permission to dispose of the Dare car, which is an older Mustang that was seized years ago. The ghost flames are permanent and all the other advertising will be removed. He would like to have this vehicle entered for sealed bids in the upcoming county garage sale, with the monies going towards the fundraising for a new Search and Rescue truck. There is a non-profit account already set up. Commissioner Fulkerson made a motion to allow the vehicle to go to the county garage sale with the money made on the sale going to the non-profit account, Commissioner Tilden seconded and motion carried.

#### **Commissioners – RE: Congratulate Luke Maslak and Dave Wildman**

Chairman Livingston wanted to first-hand thank Mr. Wildman and Mr. Maslak for putting their own safety aside and helping rescue a civilian from a canal in Powell. The Board is proud to have them as their employees and truly do appreciate what they did. Pictures were taken and congratulations was given by all Commissioners.

#### **Teecee Barrett, Events Coordinator & Mike Garza, Buildings & Grounds Superintendent – RE: Consider agreement with City of Powell for snow storage at Fairgrounds**

Mr. Garza was absent. Ms. Barrett presented an agreement from the City of Powell, requesting them to deposit snow it removes from the city streets in places designated by the County on or within the Park County Fairgrounds. The City is aware of the new drainage being put in at the Fairgrounds and will make arrangements accordingly. Mr. Butts, Street Superintendent with Powell, stated they will stay within the bounds the County lays out for them. Chairman Livingston requested that the agreement be changed to allow the Chairman to sign on behalf of Park County. Ms. Barrett will get a corrected copy.

Commissioner Grosskopf made a motion to approve snow collection and deposit agreement between City of Powell and Park County and allow chair to sign once the corrected document is submitted, Commissioner Tilden seconded and motion carried.

#### **Commissioners – RE: Consider nominations to Local Government Liability Pool (LGLP) board and Consider Beartooth Electric Cooperative ballot**

No names were submitted for LGLP board nominations.

Commissioner French made a motion to vote for Daniel Dutton for Beartooth Electric District 1. Commissioner Tilden seconded and motion carried. Commissioner Grosskopf made a motion to approve all three bylaw amendments

on the ballot, Commissioner Fulkerson seconded and motion carried. Ms. Gerharter, Commissioners' Assistant will complete the proper paperwork.

**Adjourn.**

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

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Lee Livingston, Chairman

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Loren Grosskopf, Vice Chairman

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Joseph E. Tilden, Commissioner

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Tim A. French, Commissioner

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Jake Fulkerson, Commissioner

Attest:

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Colleen Renner, County Clerk