

Park County Board of County Commissioners
Regular Meeting
Tuesday, January 16, 2018

Chairman Grosskopf called to order a regular meeting of the Board of County Commissioners of Park County, Wyoming, on Tuesday, January 16, 2018. Present were Chairman, Loren Grosskopf, Vice Chairman, Jake Fulkerson Commissioners Tim French, Joe Tilden, and Clerk Colleen Renner. Commissioner Livingston was absent.

Teecee Barrett, Events Department, led the audience in the Pledge of Allegiance.

Action Items and Other Business:

Approve-Minutes

The minutes from January 2 & 9, 2018 were presented to the Board for approval. Commissioner Fulkerson moved to approve the minutes as presented, seconded by Commissioner Tilden, and motion carried.

Approve-Payroll

Payroll was presented in the amount of \$404,392.36 which included one bi-weekly and the monthly payroll in the amount of \$82,516.19 to the Board for approval. Commissioner Tilden moved to approve payroll, seconded by Commissioner French, 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 Fulkerson, and motion carried:

<u>Payee</u>	<u>Amount</u>
360 OFFICE SOLUTIONS	\$891.02
AT CONFERENCE	\$205.37
AT&T MOBILITY	\$390.69
AUTOSHOP, INC.	\$466.08
BAILEY ENTERPRISES, INC.	\$90.53
BAILEY ENTERPRISES, INC.	\$4,086.43
BEAR CO., INC.	\$6,024.34
BEARTOOTH ELECTRIC COOP	\$64.70
BIG BROTHERS BIG SISTERS OF NW WY	\$2,115.67
BIG HORN CO-OP MARKETING ASSN.	\$33.59
BIG HORN RURAL ELECTRIC COMPANY	\$292.96
BIG HORN WHOLESALE, INC.	\$2,688.68
BLACK HILLS ENERGY	\$12,033.83
BLAKEMAN PROPANE, INC.	\$501.93
BLOEDORN LUMBER - POWELL	\$67.32
BOONE'S MACHINE SHOP	\$187.82
C & C WELDING, LLC	\$87.28
CARING FOR POWELL ANIMALS	\$875.52
CAROLINA SOFTWARE	\$500.00
CARQUEST AUTO PARTS - #064250	\$1,431.37
CARQUEST AUTO PARTS - #274890	\$243.24
CENTURYLINK	\$2,491.93
CENTURYLINK BUSINES SERVICES	\$38.35
CHARTER COMMUNICATIONS	\$99.99
CHRISTIE, LOGAN	\$166.92
CLOUD PEAK COUNSELING CENTER	\$1,625.00
CODY ACE HARDWARE	\$72.26
CODY COUNCIL ON AGING	\$11,856.00
CODY ENTERPRISE	\$2,669.44
CODY PAINT & BODY, INC.	\$559.50

CODY SHOOTING COMPLEX	\$4,000.00
CODY YELLOWSTONE AIR	\$6,500.00
CODY, CITY OF	\$1,094.40
CODY, CITY OF	\$22,801.43
CORRECTIONAL HEALTHCARE COMPANIES, INC.	\$19,121.48
COULTER CAR CARE CENTER	\$59.50
CRISIS INTERVENTION SERVICES	\$3,732.12
CRISIS INTERVENTION SERVICES	\$3,064.32
CRUM ELECTRIC SUPPLY CO.	\$515.76
CUSTOM AIR, INC.	\$426.50
D&G ELECTRIC, LLC	\$65.00
ECOLAB, INC.	\$430.28
ESRI (ENVIRONMENTAL SYS. RESEARCH INST)	\$13,700.00
FASTENAL	\$41.54
FILENER CONSTRUCTION, INC.	\$5,171.65
FORWARD CODY WYOMING, INC.	\$4,377.60
GARLAND LIGHT & POWER CO.	\$1,479.78
GOODYEAR PRINTING	\$367.00
GRAINGER	\$200.88
GUERTIN, ANDREW	\$83.36
HAL LEE PLUMBING & HEATING, LLC	\$10,146.55
HANSON CHEMICAL INC.	\$680.63
HEARTLAND AG - BUSINESS GROUP	\$45.00
INTERSTATE TIRE SERV. INC	\$20.00
K-B COMMERCIAL PRODUCTS	\$686.23
KEEGAN, KRISJANSONS & MILES, PC	\$4,495.44
KEELE SANITATION	\$1,200.00
KENCO SECURITY AND TECHNOLOGY	\$341.75
KINCHELOE PLUMBING & HEATING	\$293.09
KOIS BROTHERS EQUIPMENT COMPANY, INC.	\$288.74
LINTONS BIG R, INC.	\$283.42
MAJESTIC LUBE, INC.	\$100.90
MANNAHOUSE	\$2,123.14
MAXX DIESEL REPAIR	\$360.00
MEETEETSE SENIOR CENTER	\$2,508.00
MEETEETSE VISITOR CENTER	\$2,188.80
MEETEETSE, TOWN OF	\$340.58
MERCK SHARP & DOHME CORP.	\$218.15
MICKELSON, JOSEPH D	\$243.96
MONTANA-DAKOTA UTILITIES CO.	\$2,462.26
MOTOR PARTS, INC.	\$233.29
MURDOCH OIL, INC.	\$353.25
NAPA AUTO PARTS	\$70.36
NORCO, INC.	\$24.30
NORTHWEST COLLEGE	\$3,998.00
NORTHWEST RURAL WATER DISTRICT	\$82.40
OFFICE SHOP, THE	\$1,942.94
O'REILLY AUTO PARTS - CODY	\$84.19
PARK CO COURT SUPERVISED TREATMENT PROG	\$9,147.73
PARK COUNTY 4-H COUNCIL	\$2,500.00
PARK COUNTY ANIMAL SHELTER	\$2,626.56
PARK COUNTY LIBRARY BOARD	\$775,826.55
PARK COUNTY MUSEUM BOARD	\$97,161.31
PARK COUNTY PARKS & RECREATION BOARD	\$88,659.50
PARK COUNTY PUBLIC HEALTH	\$95.00
PARK COUNTY TREASURER	\$797.08
PHILLIPS, CLINT	\$1,430.00
PILCH ENGINEERING INC., PC	\$13,977.00
POST AND ASSOCIATES	\$400.00
POWELL ACE HARDWARE, LLC	\$302.05
POWELL ECONOMIC PARTNERSHIP, INC.	\$3,501.94
POWELL LOCK	\$920.00
POWELL SENIOR CITIZENS AGO-GO, INC	\$11,856.00
POWELL TRIBUNE, INC.	\$50.00
POWELL TRIBUNE, INC.	\$2,354.51

POWELL VALLEY RECYCLING	\$2,211.84
POWELL, CITY OF	\$3,651.43
QUILL CORPORATION	\$47.98
RIMROCK TIRE CO - CODY	\$176.20
RIMROCK TIRE CO - POWELL	\$51.45
ROCKY MOUNTAIN POWER	\$725.09
SANOFI PASTEUR, INC	\$542.87
SELBYS, INC.	\$347.67
SHOSHONE OFFICE SUPPLY, INC.	\$75.71
SYSCO FOOD SERVICES OF MONTANA	\$1,079.20
TOTAL ID	\$258.00
TW ENTERPRISES, INC.	\$1,289.70
VERIZON WIRELESS	\$71.31
VERIZON WIRELESS	\$26.87
VERIZON WIRELESS	\$210.76
VISA - #0068 - B. POLEY	\$28.18
VISA - #0118 - P. MEYER	\$782.09
VISA - #0191 - L. LIVINGSTON	\$29.90
VISA - #9408 - B. EDWARDS	\$209.99
VISA - #9507 - C. RENNER	\$74.50
VISA - #9689 - M. CONNERS	\$2,176.30
VISA - #9762 - S. STEWARD	\$8,526.99
VISA - #9861 - M. GARZA	\$391.43
VISA - #9879 - T. BARRETT	\$7.21
WARNER, MICHAEL A.	\$30.00
WHITE INK, LLC	\$101.40
WILLIAMS & SONS, LLC	\$405.00
WINTER EQUIPMENT COMPANY, INC.	\$6,331.26
WPCI CONSULTANTS, INC.	\$112.50
WYOMING DEPARTMENT OF EMPLOYMENT	\$190.98
WYOMING DEPARTMENT OF HEALTH/PBL HLTH LB	\$18.00
WYOMING DEPT OF AGRICULTURE*	\$50.00
WYOMING STATE BAR	\$100.00
WYOMING STATE PUBLIC DEFENDER	\$400.00
WYOMING TAXPAYERS ASSOCIATION	\$195.00
YANKEE CAR WASH	\$33.00
YELLOWSTONE BEHAVIORAL HEALTH	\$9,849.60
YELLOWSTONE REGIONAL AIRPORT	\$31,192.50
YOUTH CLUBS OF PARK COUNTY	\$7,519.52
YOUTH CLUBS OF PARK COUNTY	\$3,283.20
TOTAL	<u><u>\$1,270,315.59</u></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 sign County Wide Consensus Block Grant Application, Fairgrounds Drainage Overruns (Colleen Renner, Park County Clerk)

Clerk Renner presented the application for the grant, requesting \$68,946.10 for the overrun costs in completing the fairgrounds drainage project. Clerk Renner will present to the three cities/towns for their approval the first week of February and the request needs to be to the State by the first week of March. Commissioner French made a motion to approve and sign the documentation and present to the cities/towns, Commissioner Fulkerson seconded, and motion carried.
RESOLUTION 2018-07.

Commissioner Livingston joined the meeting at this time.

Approve and allow Chairman to sign corrected agreement with Wyoming Behavioral Institute

The corrected agreement has been reviewed by County Attorney Mr. Skoric and includes minor statutory language changes. Commissioner Tilden made a motion to approve the agreement and allow chair to sign, Commissioner Livingston seconded, and motion carried.

Approve correspondence regarding Beartooth Ranch (Nicholle Gerharter, Executive Assistant)

This property owned by the State of Wyoming has fallen into extreme disrepair. Twenty years ago, the United States Marshal deeded the land to the State of Wyoming with strict restrictions. Park County is requesting, in a letter to the Governor and other entities, to have the Memorandum of Understanding rescinded and the property given to Park County without restrictions, while retaining access to public easements. Pictures will be attached and Attorney Skoric will have a chance to review the letter. Commissioner Tilden made a motion, contingent upon attorney approval, to approve the letter, Commissioner Fulkerson seconded, and motion carried.

Approve and allow the Chairman to sign FFY18 Q1 TANF/CPI Report & Vouchers (Nicholle Gerharter, Executive Assistant)

The quarterly report and invoice are for October 1 – December 21, 2017 in the amount of \$18,744.20 for the following recipients: Big Brother Big Sisters of Northwest Wyoming, Crisis Intervention Services, NWC Workforce Training & Development, Northwest Wyoming Family Planning and Youth Clubs of Park County. Commissioner Fulkerson made a motion to approve and allow the chair to sign, Commissioner Livingston seconded, and motion carried. Commissioner French opposed.

Request permission to advertise upcoming openings on Park County Predator Management Advisory Board, Park County Travel Council, and Park County Museum Board (Nicholle Gerharter, Executive Assistant)

Commissioner Livingston made a motion to advertise for these board positions, Commissioner Fulkerson seconded, and motion carried. Interviews will be at the February 20th regular meeting.

Teecee Barrett, Events Coordinator – RE: Consider/approve Steps for Events Grounds Foreman

Ms. Barrett stated the previous supervisor had told the employee, during an initial hiring agreement, that he would be given a raise. Commissioner Livingston had concerns and Commissioner Fulkerson asked if there were additional verbal or written wage agreements to employees. Ms. Barrett is not aware of any. Commissioner Tilden moved to approve, since the agreement was offered at hiring and Ms. Barrett had documentation, Commissioner Livingston seconded, and motion carried.

Tim Waddell, Solid Waste Manager – RE: Consider/approve Step for Gate Attendant

Mr. Waddell was not in attendance. Commissioner Grosskopf stated the employee is replacing a position that became vacant after the retirement of another employee. After discussion, it was decided that anytime an employee is getting a raise, the Department Head must come before the Board for approval. Commissioner Tilden made a motion to approve this increase, Commissioner Fulkerson seconded, and motion carried.

Nicholle Gerharter, Executive Assistant – RE: Open Requests for Proposals for the Park County Library Biblio Bistro Café

Ms. Gerharter reported there were no proposals received. After discussion, Ms. Clymer will set up a work session at the Bistro with the library board and Commissioners to discuss ideas.

Kim Dillivan, Planner II – RE: Public Hearing: Kennion and Dixie Frazier variance request to create two nonconforming lots in Lakeview Estates, a GR-5 zoning district.

Chairman Grosskopf opened the public hearing. Mr. Dillivan presented this variance request to split an existing 1.85 acre lot into two lots. This subdivision was created in 1966. This lot was originally 3.7 acres and was split in 1983. The adopted regulations on 9/1/2000 designated this area as GR-5, any lot or parcel at the time of the zoning resolution enactment that is smaller than the subsequent minimum lot size is considered non-conforming. The primary residence was built in 1983, the guest house in 1999. This lot is therefore not eligible for division based on pre-existing residence. Legal and written notice was given per regulations. Public Works and Game & Fish reviewed and have no concerns or comments. Northwest Rural Water reviewed and indicated they could serve both lots. Weed & Pest could not complete their inspection due to snow cover. Public comments have been received and a 'petition to deny' signed by 53 was also received. Chairman Grosskopf reminded all of the rules and opened the floor to public comments.

Mark Westerhold spoke on behalf of the owners, giving their reasons why it should be allowed.

Jim Umphlett, Neil Beisler, Dennis Bakke and Liz Jenkins, Rod Tripp and Ed Spearing all made comments against the variance. For the record, Commissioner Fulkerson stated that he has not looked at this property for its salability.

After hearing all comments from the public, Commissioner Livingston made a motion to close the public hearing, Commissioner French seconded, and motion carried.

Commissioner Fulkerson made a motion to approve the resolution to deny the request for variance from Kennion & Dixie Frazier, Commissioner Tilden seconded, and motion carried. **RESOLUTION 2018-01**

Kim Dillivan, Planner II – RE: Public Hearing: Chris Taylor variance to zoning to allow a Major Industrial Use in a R-H zoning district.

Chairman Grosskopf opened the public hearing. Mr. Dillivan presented for approval a variance to allow applicant to apply for a Special Use Permit (SUP), and if approved, would allow a log processing yard in a residential ½ acre zoning district. The proposal is for 3 acres of a 322 acre parcel.

The site is .4 miles east of Yellowstone Regional Airport and owned by Beacon Hill Land Company. Managing partner of Beacon Hill has given applicant written permission to apply for this variance. Neighboring land uses are a mixture of residential, industrial and vacancy. Legal notices have been followed. Public Works reviewed and submitted comments. Game & Fish reviewed and has no comments. Northwest Rural Water reviewed and indicated they have no objection to the variance request. Weed & Pest has not completed their inspection due to snow cover, however the site is close to a known infestation of spotted knapweed and a long term noxious weed control plan will be required if variance is approved and applicant applies for a SUP. No public comments have been received.

Chairman Grosskopf called for public comments. Hans Odde asked for clarification of the location in relation to Yellowstone Regional Airport. Bev Shaw, landowner in Prairie View Subdivision, stated her concerns regarding size of acres for operation, days of operation, lighting, and consideration of residential area all of which will be addressed in the SUP application process. Marshall Dominick, managing partner, stated it is their intention to sell a 40 acre track out of this 322 acres to Mr. Taylor while keeping the remainder as rural and agricultural as

possible. They have started the process to put deed restrictions on the property to ensure that no parcels sold are smaller than 35 acres. There being no further public comments, Commissioner Tilden made a motion to close the public hearing, Commissioner French seconded, and motion carried. Commissioner Livingston made a motion to approve the variance, Commissioner Tilden seconded, and motion carried. **RESOLUTION 2018-02**

Colleen Renner, Park County Clerk – Brian Edwards, Engineer, Public Works – RE: Continue Public Hearing: Amend the Fiscal Year 2017-18 Park County Budget

Mr. Edwards has been working with Federal Emergency Management Agency (FEMA) and Federal Lands Access Program (FLAP) to identify expenses and reimbursements due to the spring flooding. FEMA reimburses approximately 75% and take into account Park County resources and equipment. Mr. Edwards stated the goal is to minimize expense from the County Road Fund. Commissioner French made a motion to close the public hearing, Commissioner Tilden seconded, and motion carried. Commissioner Fulkerson made a motion to approve the resolution amending the budget, Commissioner Livingston seconded, and motion carried. **RESOLUTION 2018-03**

Kim Dillivan, Planner II – RE: Kenny and Mary Ann Wright final plat review. Two-lot simple subdivision, with proposed Lot 1 being 7.22 acres and proposed Lot 2 being 21.05 acres. The 28.27-acre parcel is located along Lane 15, and just north of Highway 14-A. Proposed Lot 2 has an address of 1922 Lane 15.

Mr. Dillivan presented for approval the final plat application of Kenny & Mary Ann Wright to create a two-lot simple subdivision. Lot 1 would be 7.22 acres and Lot 2 being 21.05. Both lots are for single family residential use. The Wright subdivision is classified as and has met the standards for a simple subdivision. Lots are mostly surrounded by agricultural land. Before the final plat is signed, the applicant needs to provide easements as requested, a long term noxious weed plan must be approved, analysis for the water well located on Lot 2 must be provided and applicants must comply with standards in the Park County Development Regulations and the minimum subdivision requirements as set forth in Wyoming Statute 18-5-306.

Commissioner Tilden made a motion to approve the final plat review with conditions above, Commissioner French seconded, and motion carried. **RESOLUTION 2018-04**

Bob Hooper, Manager, Yellowstone Regional Airport and Bucky Hall, CYAIR – RE: Consider resolution in support of Wyoming Commercial Air Service Improvement Plan

Mr. Hooper and Mr. Hall reported that Wyoming Commercial Air Service Improvement Plan Resolution would allow support of legislation for a planning group to study feasibility of capacity purchase for the State of Wyoming. The Yellowstone Regional Airport Board supports this resolution and asked the Board to do the same. Commissioner Tilden made a motion to support sign the resolution approved by airport board, Commissioner Livingston seconded, and motion carried. **RESOLUTION 2018-05**

Ann Trosper, District Manager, Powell - Clarks Fork Conservation District – RE: Annual review

Ms. Trosper thanked the board for the opportunity to summarize the past year. Time was spent on local government issues with the audit for Predator Board & Conservation Districts. They also did outreach and education in some of the following areas: water quality, high tunnel, irrigation management, shelterbelt, soil health, livestock, septic projects, and the seedling tree program. Ms. Trosper

wanted the Board to be aware of the possibility of a requirement to obtain a full audit every year, which, due to cost, could cause the closure of Cody and Powell Conservation Districts. Commissioner French offered to present this issue when the Board meets with state legislators on February 1.

Bill Crampton, Public Health Nurse Manager – RE: Public Health monthly update

Mr. Crampton reported to date Cody has given 945 flu vaccines while Powell has given 1,033. This widespread flu activity is unusual; with the H3N2 type A virus, the vaccine has reduced effectiveness. The Medicare Renewal is due this year in the amount of over \$500, which he did not project in his budget. Upcoming kindergarteners will be given shots in April. He is planning to request more funds from MCH/TANF grants to make the part-time grant nurse a full-time position.

Sam Hochhalter, Cody Region Fisheries Supervisor, Wyoming Game and Fish Department – RE: Update on public engagement process on cutthroat trout restoration

Mr. Hochhalter invited the Commissioners and the public to attend a gathering to share interests, thoughts, ideas and concerns about the future restoration project for cutthroat trout. It will be at the Park County Library's Grizzly Hall, January 29 from 5:30-7:30 p.m. This is a different level of public engagement. In this effort, he will be asking for specific recommendations for restoration efforts. Participants will be given the opportunity to share their thoughts, but also be afforded the opportunity to listen to others and learn about the current status and conservation challenges.

Kim Dillivan, Planner II – RE: Public Hearing: Randel and Courtney Hooper Special Use Permit-158 with site plan review. Proposed use of Lot 101 of Evans SS-215 (amended) would be to accommodate a restaurant with a bar and short-term lodging (Highway Commercial Business) in GR-5 zoning district. Parcel is located at 53 Stagecoach Trail.

Mr. Dillivan presented for approval the Special Use Permit (SUP #158) with site plan review. Property is approximately 17 miles west of Cody. It is classified highway commercial, which provides goods and services to tourists and travelers with two guest cabins, one guest bunkhouse, and a lodge containing a restaurant with a bar and upstairs residence. Neighboring land uses are predominately residential. This property slopes down to the river on north and up to Stagecoach Trail on the south. Game & Fish will likely advise developer to follow their guidelines, Weed & Pest may require a long term noxious weed control plan approved. It was not completed due to snow cover. All fire inspector conditions have been met. There appears to be no water or waste water concerns. All utilities are adequate and no signs are proposed at this time. There have been many public concerns received.

Chairman Grosskopf called for public comment. Mr. Hooper introduced himself, his wife Courtney and business partner James Wilson.

Don Getty and Rob Burgin both came before the board, withdrawing their objections based on compromises reached with the applicants. Denise Shirley and Thomas Smead both spoke in support of this request. Commissioners thanked those involved for working together and coming to an agreement. After further discussion, Commissioner Livingston made a motion to close the public hearing, Commissioner Tilden seconded, and motion carried.

Ms. Gillett requested time to rewrite the resolution based on the compromise that all parties have agreed to.

Commissioner French made a motion to approve the resolution and Special Use Permit with the new wording that was worked out between proprietor and neighbors, Commissioner Tilden seconded, and motion carried. **RESOLUTION 2018-06**

Hans Odde, First Deputy Clerk – RE: Consider/approve new full retail liquor license for 2HW, LLC dba Rocking D River Guest Ranch

Mr. Odde reminded the Commissioners that the Public Hearing held on December 19, 2017 had been closed and the consideration of this liquor license was postponed until after 2HW, LLC was granted a County Special Use Permit. Commissioner Fulkerson made a motion to approve the liquor license, Commissioner Tilden seconded, and motion carried.

Commissioners – RE: Discuss Meeteetse Local Planning Area Advisory Committee

Mayor Yetter and Kathy Gilbreath requested more time before the final decision to disband is made. They are working with Meeteetse City Planning & Zoning members to see if anyone is interested in being on this advisory committee. They have four interested at this time and requested that the Board run an advertisement for interested parties to serve on this committee. Commissioner Fulkerson made a motion to direct staff to add this board to the list of boards presented this morning for publication in all three papers, Commissioner Livingston seconded, and motion carried.

Commissioners – RE: Discuss Wyoming State Parks’ response to Park County Resolution 2017-49

The Commission received a letter from Dominic Bravo at the Wyoming State Parks in response to Resolution 2017-49. Under State Statute 36-4-121 (a) the “director may waive any permit fee imposed pursuant to this section”. After discussion, Commissioner Tilden made a motion to direct staff to respond to Mr. Bravo with a request to quantify revenue loss and to note State Statute 36-4-121 (a), Commissioner Livingston seconded, and motion carried.

Executive Session.

Commissioner Livingston moved to go into executive session pursuant to Wyoming State Statute § 16-4-405(a) (ix), seconded by Commissioner Tilden and unanimously carried. Commissioner Tilden moved to come out of executive session, seconded by Commissioner Livingston and unanimously carried. There were no decisions made in this session.

Adjourn.

Commissioner Livingston made a motion to adjourn, Commissioner Fulkerson seconded and the motion carried.

Loren Grosskopf, Chairman

Jake Fulkerson, Vice Chairman

Tim A. French, Commissioner

Lee Livingston, Commissioner

Joseph E. Tilden, Commissioner

Attest:

Colleen Renner, County Clerk