

**Park County Board of County Commissioners**  
**Regular Meeting**  
Tuesday, April 3, 2018

Vice Chairman Fulkerson called to order a regular meeting of the Board of County Commissioners of Park County, Wyoming, on Tuesday, April 3, 2018. Present were Vice Chairman, Jake Fulkerson, Commissioners Lee Livingston, Tim French, Joe Tilden, and Clerk Colleen Renner. Chairman Loren Grosskopf was attending another meeting and joined later.

Nicholle Gerharter led the audience in the Pledge of Allegiance.

**Action Items and Other Business:**

**Approve-Minutes**

The minutes from March 20, 2018 were presented to the Board for approval. Commissioner Livingston moved to approve the minutes as presented, seconded by Commissioner Tilden and motion carried.

**Approve-Payroll**

Payroll was presented in the amount of \$538,064.83 which is one bi-weekly with health insurance 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 Livingston moved to approve the vouchers as presented seconded by Commissioner Tilden and motion carried:

| <u>Payee</u>                      | <u>Amount</u> |
|-----------------------------------|---------------|
| 360 OFFICE SOLUTIONS              | \$1,305.45    |
| A & I DISTRIBUTORS                | \$1,369.26    |
| ALBERTSONS - SAFEWAY              | \$50.00       |
| ALBERTSONS - SAFEWAY              | \$74.83       |
| AT&T MOBILITY                     | \$1,804.17    |
| AUTOSHOP, INC.                    | \$216.22      |
| B & B FLEET SERVICE               | \$3,073.58    |
| BASIN EQUIPMENT REPAIR            | \$450.45      |
| BEARTOOTH ELECTRIC COOP           | \$61.62       |
| BENTLEY SYSTEMS, INC.             | \$590.00      |
| BIG HORN WATER SYSTEMS, LLC       | \$522.90      |
| BIG HORN WHOLESALE, INC.          | \$1,996.53    |
| BIG VALLEY BEARING & SUPPLY, INC. | \$107.39      |
| BLACK HILLS ENERGY                | \$2,785.78    |
| BLAIR'S MARKET                    | \$20.94       |
| BONINE, DUNCAN                    | \$97.89       |
| BONNER LAW OFFICE                 | \$50.00       |
| BRANDON-WINTERMOTE, KIMBERLY      | \$89.17       |
| BRAY REPORTING                    | \$504.40      |
| BRAZELTON, LILLIAN                | \$29.43       |
| BUSH, DEBORA                      | \$102.25      |
| CDW GOVERNMENT, INC.              | \$8,200.59    |
| CENTURYLINK                       | \$2,496.38    |
| CHARTER COMMUNICATIONS            | \$388.40      |
| CODY ACE HARDWARE                 | \$215.02      |
| CODY WINNELSON CO.                | \$499.56      |
| CODY, CITY OF                     | \$20,798.42   |
| COOPER, KRISTOFER                 | \$100.00      |
| CRAMPTON, WILLIAM E.              | \$135.00      |
| CRUM ELECTRIC SUPPLY CO.          | \$387.97      |
| D&G ELECTRIC, LLC                 | \$65.00       |

|                                    |                                   |
|------------------------------------|-----------------------------------|
| DENNY MENHOLT CHEVROLET BUICK GMC  | \$58.32                           |
| ENGINEERING ASSOCIATES             | \$12,068.70                       |
| FASTENAL                           | \$347.46                          |
| FINISHING TOUCH                    | \$300.00                          |
| GALLS, LLC                         | \$304.12                          |
| GRAINGER                           | \$191.60                          |
| HANSON CHEMICAL INC.               | \$502.25                          |
| HINZE, BOBBIE                      | \$110.99                          |
| HOTSY EQUIPMENT OF WYOMING, INC.   | \$501.24                          |
| JACKS TRUCK & EQUIPMENT, INC.      | \$775.28                          |
| JUDGE DAVID B. PARK                | \$1,627.94                        |
| K-B COMMERCIAL PRODUCTS            | \$439.69                          |
| KENCO SECURITY AND TECHNOLOGY      | \$341.75                          |
| MAJESTIC LUBE, INC.                | \$52.95                           |
| MATRIX/IMPACT TELECOM              | \$4.41                            |
| McINTOSH OIL, INC.                 | \$1,131.57                        |
| MCVAY, FRANCIS H.                  | \$19.12                           |
| MEETEETSE VISITOR CENTER           | \$54.00                           |
| MIKE ROBINSON LLC                  | \$1,946.89                        |
| MOHLER, TYCEE JO                   | \$343.52                          |
| MORRISON, MARION                   | \$91.35                           |
| MOTOR PARTS, INC.                  | \$6.88                            |
| MOUNTAIN WEST COMPUTER             | \$26.20                           |
| NADA USED CAR GUIDE                | \$1,670.00                        |
| NATIONAL BUSINESS SYSTEMS          | \$608.93                          |
| NORCO, INC.                        | \$292.34                          |
| NORTHWEST RURAL WATER DISTRICT     | \$83.90                           |
| OFFICE SHOP, THE                   | \$1,627.95                        |
| OFFICIAL COURT RECORD              | \$1,800.00                        |
| PAVEMENT MAINTENANCE, INC.         | \$44,175.00                       |
| PITNEY BOWES, INC. - A/R           | \$305.42                          |
| POWELL ACE HARDWARE, LLC           | \$214.32                          |
| POWELL HIGH SCHOOL SENIOR BASH     | \$400.00                          |
| POWELL LOCK                        | \$90.00                           |
| POWELL, CITY OF                    | \$7,217.10                        |
| PUTNEY, LINDA                      | \$100.07                          |
| RENNER, COLLEEN                    | \$263.38                          |
| ROCKY MOUNTAIN POWER               | \$1,878.92                        |
| SABER PEST CONTROL                 | \$120.00                          |
| SAPP, ANNA                         | \$275.44                          |
| SECRETARY OF STATE                 | \$30.00                           |
| SHOSHONE OFFICE SUPPLY, INC.       | \$13.25                           |
| SIMEK, TONY                        | \$6,000.00                        |
| SKORIC, BRYAN                      | \$38.22                           |
| SYSCO FOOD SERVICES OF MONTANA     | \$2,100.20                        |
| TCT WEST, INC                      | \$8,587.94                        |
| THOS. Y. PICKETT & CO., INC.       | \$4,700.00                        |
| TITAN MACHINERY                    | \$314.53                          |
| TOWNEPLACE SUITES CHEYENNE         | \$93.00                           |
| TRACTOR & EQUIPMENT CO             | \$437.95                          |
| TRI STATE TRUCK & EQUIP, INC       | \$246.97                          |
| TW ENTERPRISES, INC.               | \$1,238.32                        |
| VERIZON WIRELESS                   | \$71.48                           |
| VERIZON WIRELESS                   | \$26.68                           |
| VERIZON WIRELESS                   | \$148.07                          |
| VISIONARY COMMUNICATIONS, INC.     | \$78.30                           |
| WAL MART COMMUNITY/GEMB            | \$413.22                          |
| WYOMING INFORMATION TECHNOLOGY DIV | \$44.68                           |
| <b>TOTAL</b>                       | <b><u><u>\$155,540.41</u></u></b> |

**Approve lease renewal with Webseed, Inc. (Nicholle Gerharter, Executive Assistant)**

Commissioner Tilden made a motion to approve the lease renewal for the months of May and June with the annual 2.4% increase, Commissioner French seconded, and motion carried.

**Consideration of a proposed resolution to vacate a portion of Road 54 (a public road) between the west boundary of Tract 68 and Castle Rock Road (Ben McDonald, Project Manager)**

On September 28, 2017 a petition by Peter and Christine Kuyper, Nicki and Kelly Bustos, Victor Riley, Jr., and Ted and Cathy Vlahos was submitted to the commissioners to initiate the proceedings to vacate a portion of Road 54. Commissioner Fulkerson made a motion to approve the resolution to initiate proceedings to vacate a portion of Road 54 and appoint Brian Edwards, Park County Engineer as viewer in the matter, Commissioner French seconded, and motion carried. **RESOLUTION 2018-13**

**Consideration of reclassifying Assistant according to Fair Labor Standards Act (Colleen Renner, Park County Clerk)**

Clerk Renner discussed the hourly vs. salary exemptions under the Fair Labor Standards Act. The Administrative Assistant position does not qualify under the exempt definition. Commissioner Tilden made a motion to move this position from exempt to non-exempt, Commissioner Livingston seconded, and motion carried.

**Approve and allow Chairman to sign four (4) Wyoming Office of Homeland Security Grant Award Agreements for PW-00015, PW-00017, PW-00020, and PW-00022 as related to disaster DR-4327 (Martin Knapp, Homeland Security Coordinator)**

Mr. Knapp presented the agreements related to the flooding last spring. Award Agreements are PW-00015 in the amount of \$36,940.05, local share amount is \$9,235.01; PW00017 in the amount of \$245,651.24, local share amount is \$61,412.81; PW-00020 in the amount of \$7,642.72, local share amount is \$1,910.68; PW-00022 in the amount of \$222,018.46, local share amount is \$55,504.62. The funds are available for reimbursement when the conditions described in the agreement are met. Commissioner French made a motion to approve and allow the chair to sign, Commissioner Tilden seconded, and motion carried.

**Approve Amendment Number 7 to Park County Wyoming Employee Benefit Plan, effective March 1, 2018 (Colleen Renner, Park County Clerk)**

Clerk Renner presented the amendment to clarify wording in the dental portion of the benefit plan regarding wisdom teeth removal. Commissioner Tilden made a motion to approve the amendment and allow the chair to sign, Commissioner French seconded, and motion carried.

**Mike Garza, Buildings & Grounds Superintendent – RE: Open and award bid for fencing at Park County Fairgrounds Arena**

Mr. Garza reported the bids were to fence off the northern section of the county shop on the fairgrounds across from the arena that is now leveled. Midwest Fence Company, \$14,837.00; SWi Fence & Supply Co, \$10,480.00 and Moucha Fencing, \$10,530.00. Mr. Garza stated they had all been on site and he would like to compare the bids and make a recommendation later today.

**Teecee Barrett, Events Coordinator - RE: Consider approval of pay rate for temporary employees in the Events Department**

Ms. Barrett stated they are in the process of advertising for summer help and in past years returning temporary employees were given a twenty-five cent raise. Commissioner Livingston made a motion to allow the pay increase for the returning temporary employees, Commissioner Tilden seconded, and motion carried.

**Barton Stam, Hot Springs County Extension Sustainable Management of Rangeland Resources Educator – RE: Wyoming livestock predation trends and mitigation survey –**

Mr. Stam gave an overview of what is happening in Range Management. The private and state lands needs assessment is a very important document but like many does not include the effects that predators have on livestock. He received a \$15,000 grant and worked with Dr. John Scasta, Assistant Professor & Extension Rangeland Specialist with the University to complete an in-depth survey with ranchers entitled “Wyoming Livestock Predation Trends & Mitigation Survey”. After sharing the highlights of the document, Mr. Stam noted it is a public document and therefore can be shared with anyone interested.

At this time Vice Chairman Fulkerson turned the meeting over to Chairman Grosskopf.

**Executive Session.**

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

**Lawrence Todd, Treasurer, Park County Historic Preservation Commission  
Brian Beauvais, Chair, Park County Historic Preservation Commission – RE:  
Grant proposal: Ice, Elk, and Archaeology: Inventory of Ice- Patches and Elk  
Migration Corridors, Washakie Wilderness, Wyoming**

Mr. Todd presented the grant application. Mr. Todd discussed the project selection, public benefit, description of the project, proposed tasks and goals, scope of the work, timeline, and the project budget. After, there was discussion regarding a proposed MOU to assist the Commission with cash flow timing. The county attorney states the proposal has constitutional issues regarding how the moneys are being presented for reimbursement. Commissioner French stated the Board needs to get clear direction from the county attorney. Commissioner Livingston recused himself at this time as he is a possible vendor. Commissioner Fulkerson made a motion to allow the chair to sign the grant application, Commissioner Tilden seconded, and motion carried.

**Noon**

Mike Garza, Buildings & Grounds Superintendent, returned with his recommendation for the fencing project. After some discussion, Commissioner Livingston made a motion to accept Moucha Fence’s bid in the amount of \$10,530.00 as presented, Commissioner French seconded, and motion carried.

**Executive Session.**

Commissioner Fulkerson moved to go into executive session pursuant to Wyoming State Statute § 16-4-405 (a) (ii), seconded by Commissioner Livingston Tilden and unanimously carried. Commissioner Livingston moved to come out of executive session, seconded by Commissioner Tilden and unanimously carried. Commissioner Livingston made a motion to appoint George Joest to the Park

County Predator Management Advisory Board, Commissioner Fulkerson seconded, and motion carried.

**Kim Dillivan, Planner II – RE: Final plat review, Papa Richie SS-251**

Mr. Dillivan presented to the Commissioners the final plat application of Heny Farm LLC to create a one-lot simple subdivision, with the proposed Lot 1 being 25.68 acres. This one-lot is located on the west side of Road 5 and is approximately 5 miles southeast of Powell. This property is zoned General Rural Powell. Municipal approval is not required. Easements are shown on final plat. The requirement for domestic water has been met. Irrigation distribution plan has been submitted to Willwood Irrigation District and the State Engineer's Office and the irrigation head gates must be shown on final plat. Utilities are located along Road 5, and no further action is required. No public comments were received. Weed & Pest are waiting on a noxious weed control plan to be approved. After clarification on the one lot simple subdivision, Commissioner French recommended to approve the final plat, Commissioner Tilden seconded, and motion carried. **RESOLUTION 2018-14.**

**Colleen Renner, Park County Clerk – RE: Award Commissioner Scholarships**

Clerk Renner reported they received 27 applications for the \$500 per semester scholarship; no renewals were received this year. After discussion, it was decided they would choose one from Cody, one from Powell and one at large. Those chosen were Sydney Pomajzl, Cody; James Sheets, Powell; Cody Edwards, at large. If for some reason one of the three listed are not attending a Wyoming higher education facility, three alternates were also chosen and will be offered the scholarship. They are Ethan Follett, Natalie Ziegenhorn and Brooklyn Sweet. Commissioner Fulkerson made a motion to accept the names as presented and voted on, Commissioner Tilden seconded and commented it was a very difficult decision. He also noted two applicants whose parents work for Park County had no bearing on the decision. Motion carried.

**Colette Mild, Executive Director, Heritage Health Center – RE: Consider letter of support for Wyoming Primary Care Support Grant Program**

Ms. Mild gave a brief analysis of the 2 ½ years the facility has been open. Within this grant they are requesting funds to build a fourth exam room within the walls of our facility to provide better quality care and staff efficiency. They are also requesting a vehicle. They currently have eleven full time employees and are in search of a part time office assistant and a full time medical assistant. In 2016, they served 974 patients and 1,574 in 2017. The grant is requesting \$250,000 to fulfill these two objectives. Their annual operating budget is \$1.5 million Ms. Mild stated they are a 501(c)3 organization and work closely with the Powell Hospital. They are governed by a community board. Commissioner Fulkerson made a motion to sign the letter of support, commissioner Tilden seconded, and motion carried.

**Commissioners – RE: Liaison reports**

Commissioner Grosskopf attended the National Association of Counties (NACo) conference February 25-March 7 in Washington DC. The NACo conference had 2,365 counties represented making 77% of the counties members. Some of the topics covered were Shoshone Forest partnership, road closures, lack of funding, stewardship agreements, general sessions, veteran's affairs. Census 2020, PILT and SRS funding, grizzly and wolf delisting, property assessment in Yellowstone with Senator Barrasso, and WPLI were also discussed. Commissioner Grosskopf stated he will be attending the Wyoming County Commissioner Association meeting May 10-11, and the Yellowstone Grizzly

Coordinating Committee meeting here in Cody April 4 & 5. He will attend the upcoming NACo Western Interstate Region in Idaho May 23-25 and the National NACo meeting in Nashville, TN, July 13-16, 2018.

Commissioner Grosskopf also discussed the Health, Safety & Wellness meeting he attended and has given everyone information regarding the Compass Program. If we decide to join it will cost the county about \$12,000 a year.

Cody Urban Systems has one million dollars in the bank and have reported they will fix Cougar Lane as first priority and Beacon Hill as second priority.

Commissioner Fulkerson reported on Drug Court who just received their review from the state and will go from 17 to 15 clients and will lose about \$30,000 in the budget. He also gave an update on the Library.

Commissioner Tilden gave an update on CYAir and the possibilities of working on another Chicago flight during the winter months.

Commissioner Livingston and French had no updates at this time.

### **Commissioners – RE: Discuss Beartooth Ranch committee –**

Chairman Grosskopf stated we have a list of 13 volunteers. A letter was received from Bridget Hill, Director, State Lands & Investments dated March 26. The State has rules and parameters that are already set on the land. The letter references forming a committee and allowing Jason Crowder, Assistant Director for Trust Land Management, to meet and collaborate to work to resolve the issues and concerns with the ranch. Commissioner Tilden volunteered to be on the committee. Commissioner Tilden made a motion to form a committee, Commissioner Livingston seconded. After discussion, the motion was amended to have all interested parties fill out an application, place an ad in the paper in case others are interested, and have a deadline in May to appoint a committee. Amendment was seconded by Commissioner Livingston, and motion carried.

### **Terry Hinkle, Treasurer, Park County Museum Board – RE: Budget adjustments**

Mr. Hinkle requested spending some of the funds that are left in their wage line to buy shelving for the county archives, some new lighting and paint for the interior of the building. They have been down employees for several months causing this overage. They are fully staffed at this time. Commissioner Tilden made a motion to spend up to \$33,000, Commissioner Fulkerson seconded, Commissioner Livingston and French voted nay, Chairman Grosskopf voted in favor and motion carried.

### **Executive Session.**

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

### **Commissioners – RE Discuss March 14 BLM letter regarding invoice of \$6,944.44 for Powell Road & Bridge shop land**

Commissioner French gave the background on this piece of land that dates back about ten years. US Department of Interior is requesting payment in the amount of \$6,944.44 for the Federal Register publication, Powell Tribune publication Sale notice and the Cadastral Survey. These monies do not include the price of the land which they are stating has a market value of \$50,000. Commissioner French noted the appraisal states this is prime agriculture and real estate land, but in his opinion is undevelopable. Documentation shows an

easement. Commissioner Fulkerson made motion to offer \$7,000 to purchase this property, Commissioner Tilden seconded, and motion carried.

**Joe Tilden, Park County Commissioner – RE: Discussion of Representative Cheney’s bill HR 4697**

Commissioner Tilden updated everyone on the recommendations that are in HB4697, which Ms. Cheney is working to get passed. Commissioner French shared concerns regarding the McCullough Peak area that is not listed in the bill. The Wyoming Public Lands Initiative (WPLI) has been working on this for some time now and are unable to come to consensus. Commissioner Fulkerson made a motion to send the letter with an additional paragraph to include McCullough Peaks, Commissioner Tilden seconded, and motion carried.

**Bucky Hall, Chairman, Wyoming Public Lands Initiative – RE: Present Wyoming Public Lands Initiative High Lakes and McCullough Peaks Wilderness Study Areas recommendations**

Mr. Hall thanked all who served on the committee and Shauna Romero for her continued help even after she left the county. The committee did not reach a 100% consensus and are presenting that fact today. Mr. Hall feels that if the committee continues to meet, they will not come to consensus. With no consensus on the forefront, Commissioner French made a motion to hold public meetings in the evenings in both Cody and Powell at 7 p.m. to gather more comments before making a final recommendation. Commissioner Tilden seconded.. The meetings will be held April 25 at Heart Mountain Hall on the fairgrounds in Powell and April 26 in Cody with the location to be announced. Commissioner French amended the motion to include advertising in the local papers, Commissioner Tilden accepted the amendment and motion carried.

**Adjourn.**

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

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Loren Grosskopf, Chairman

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Jake Fulkerson, Vice Chairman

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Tim A. French, Commissioner

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Lee Livingston, Commissioner

\_\_\_\_\_  
Joseph E. Tilden, Commissioner

Attest:

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Colleen Renner, County Clerk