

**Park County Board of County Commissioners
Regular Meeting
February 5, 2013**

A regular meeting of the Board of County Commissioners of Park County, Wyoming, was held on Tuesday, February 5, 2013. Present were Chairman Loren Grosskopf, Commissioners Bucky Hall, Lee Livingston, Joe Tilden and Tim French, and County Clerk Jerri Torczon.

Chairman Loren Grosskopf called the meeting to order and Commissioner French led the audience in the pledge of allegiance.

Public Hearing – Liquor License Application of Wapiti Valley, Inc., dba Wapiti Lodge.

Chairman Grosskopf opened the public hearing on the liquor license application of Wapiti Valley, Inc., dba Wapiti Lodge, for a new retail liquor license utilizing a 16' x 36' room on the east side of the main floor and a 20' x 15' second dispensing room in the northern portion of the northernmost building located at 3189 Northfork Highway, Cody, Wyoming.

County Clerk Jerri Torczon reported that the application was received on December 14, 2012, the proper advertising had been completed, the required fees were filed in her office and no written comments or protests had been received from the public. There were no comments from the audience.

It was moved by Commissioner Tilden, seconded by Commissioner French and unanimously carried to close the public hearing.

Approval - Retail Liquor License Application of Wapiti Valley, Inc., dba Wapiti Lodge.

It was moved by Commissioner Hall, seconded by Commissioner Tilden and unanimously carried to approve the retail liquor license application for Wapiti Valley, Inc., dba Wapiti Lodge, for the term ending July 24, 2013.

Worksession with Elected Officials.

The meeting recessed for a worksession with Elected Officials and then reconvened at 11:00 a.m.

Public Hearing - Site Plan Review and Special Use Permit for Cody Christian Missionary Alliance Church Expansion.

Chairman Grosskopf opened the public hearing on the Site Plan Review and Special Use Permit for the Cody Christian Missionary Alliance Church Expansion. Becky Ross, Planner II, presented the staff report and answered questions of the Board. The expansion will include an addition to the existing church of Sunday school classrooms, Multi-purpose Room/Gymnasium, and kitchen, and also includes a new parking lot of 100 spaces. Glenn Ross spoke as an adjacent land owner and stated that he and his wife are very supportive of the expansion. Other comments were received regarding the project, with no objections being presented.

It was moved by Commissioner Tilden, seconded by Commissioner Livingston and unanimously carried to close the public hearing.

Approval - Site Plan Review and Special Use Permit for Cody Christian Missionary Alliance Church Expansion.

It was moved by Commissioner French, seconded by Commissioner Hall and unanimously carried to approve **RESOLUTION NO. 2013-07, APPROVAL OF A SITE PLAN AND SPECIAL USE PERMIT - 128 TO ALLOW A MAJOR COMMUNITY USE 16,708 S.F. CHURCH ADDITION FOR CODY MISSIONARY ALLIANCE CHURCH.**

Approval of Bonds.

Treasurer Barb Poley came before the Board and presented bonds for consideration. It was moved by Commissioner Livingston, seconded by Commissioner Tilden and unanimously carried to approve bonds for Edna L. Myers, Treasurer of Meeteetse Recreation District, in the amount of \$5,000.00; for Sandra Newsome, Treasurer of Shoshone Recreation District, in the amount of \$10,000.00; for Chan Richard, Treasurer of Riverside Cemetery District, in the amount of \$10,000.00; for Larry D. Parker, Treasurer for the Powell Hospital District, in the amount of \$10,000.00; for Jennifer R. Rosencranse, Administrative Services Director for the City of Cody, in the amount of \$20,000.00; for J. Travis Smith, Treasurer of Lake View Irrigation District, in the amount of \$10,000.00; and for Lora L. Startin, Secretary-Treasurer for the Shoshone Irrigation District, in the amount of \$5,000.00.

Approval of Vouchers.

Vouchers were presented to the Board for their consideration. It was moved by Commissioner Tilden, seconded by Commissioner French and unanimously carried to approve the following vouchers for payment:

| <u>Payee</u> | <u>Amount</u> |
|--|----------------------|
| A & I DISTRIBUTORS | \$459.75 |
| AIR CON REFRIGERATION | \$593.27 |
| ALBERTSONS PURCHASE ADV. CARD | \$174.55 |
| ALDRICH'S - POWELL | \$110.62 |
| AMER. COUNCIL ON CRIMINAL JUSTICE TRN | \$747.00 |
| AMERICAN WELDING & GAS, INC. | \$11.70 |
| ANTLER INN | \$148.00 |
| AT&T MOBILITY | \$2,215.28 |
| BEAR CO., INC. | \$867.94 |
| BENNETT, M.D., THOMAS L. | \$1,580.00 |
| BENNETT-BROWN, STEPHANIE L. | \$240.00 |
| BIG HORN CO-OP MARKETING ASSN. | \$43.68 |
| BIG HORN ENERGY, INC. | \$75.00 |
| BIG HORN WHOLESALE, INC. | \$4,353.01 |
| BIG VALLEY BEARING & SUPPLY, INC. | \$434.85 |
| BLOEDORN LUMBER - POWELL | \$27.99 |
| BOB BARKER COMPANY | \$1,026.01 |
| BOONE'S MACHINE SHOP | \$68.64 |
| BRESNAN COMMUNICATIONS | \$359.43 |
| CARQUEST AUTO PARTS - #064250 | \$677.89 |
| CARQUEST AUTO PARTS - #274890 | \$1,182.94 |
| CARROT-TOP INDUSTRIES, INC. | \$220.88 |
| CDW GOVERNMENT, INC. | \$31,249.45 |
| CENTURYLINK | \$2,500.80 |
| CENTURYLINK BUSINES SERVICES | \$0.70 |
| CODY ACE HARDWARE | \$422.09 |
| CODY ENTERPRISE | \$163.58 |
| CODY PAINT & BODY, INC. | \$702.85 |
| CODY SHOOTING COMPLEX | \$5,000.00 |
| CODY WINNELSON CO. | \$162.50 |
| CODY, CITY OF | \$220.00 |
| CODY, CITY OF | \$20,767.26 |
| COPENHAVER KATH KITCHEN & KOLPITCKE | \$320.00 |
| COULTER CAR CARE CENTER | \$83.50 |
| CRAMPTON, WILLIAM E. | \$236.74 |
| CRUM ELECTRIC SUPPLY CO. | \$267.60 |
| DAYS INN - GILLETTE | \$67.99 |
| DE HAAN ELECTRONICS | \$426.50 |
| DELL MARKETING L.P., C/O DELL USA L.P. | \$235.98 |
| DELUXE FOR BUSINESS | \$468.19 |
| ELIAS, RONDA | \$120.37 |
| ENERGY WEST - WYOMING | \$1,198.37 |
| ENGINEERING ASSOCIATES | \$3,481.15 |
| ENVIRONMENTAL SYS. RESEARCH INST | \$8,658.63 |
| FASTENAL | \$2.52 |

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| FED EX | \$177.33 |
| FORENSICS LIMITED, LLC | \$320.00 |
| FREMONT BEVERAGES, INC. | \$91.00 |
| FREMONT MOTOR POWELL, INC. | \$48,377.00 |
| FROST, SANDRA M. | \$469.96 |
| GALLS INCORPORATED | \$174.66 |
| GARY'S VACUUM & STAMPS | \$22.45 |
| GEDNEY, KELLEY | \$40.64 |
| GLASSMASTERS | \$60.00 |
| GOODYEAR PRINTING | \$593.00 |
| GRAINGER | \$972.45 |
| GROSSKOPF, LOREN M | \$679.12 |
| H & H ELECTRIC, LLC | \$9,454.10 |
| HALLMAN, EAGLER & HUNT, P.C. | \$510.00 |
| HANSON CHEMICAL INC. | \$419.20 |
| HENY, JESSICA | \$59.89 |
| HOFFMANN, DDS, JASON T. | \$115.00 |
| HOLM, BLOUGH AND COMPANY | \$4,935.23 |
| INTERSTATE TIRE SERV. INC | \$55.00 |
| IVERSON SANITATION | \$50.00 |
| J.L. DARLING CORPORATION | \$454.30 |
| JACKS TRUCK & EQUIPMENT, INC. | \$530.88 |
| JAMIESON, M.D., CHARLES E | \$1,500.00 |
| KEEHN, TAMI | \$64.41 |
| KEELE SANITATION | \$1,955.00 |
| KENCO SECURITY AND TECHNOLOGY | \$254.25 |
| LAW OFFICE OF ALEX H. SITZ III | \$755.15 |
| LEON UNIFORM COMPANY, INC. | \$135.00 |
| LINTONS BIG R, INC. | \$1,843.06 |
| LIVINGSTON, LEE | \$463.30 |
| LOEPER, JESSICA | \$760.00 |
| MAJESTIC LUBE, INC. | \$87.90 |
| MARQUIS AWARDS & SPECIALTIES, INC | \$161.65 |
| MATRIX | \$580.01 |
| McINTOSH OIL, INC. | \$16,062.06 |
| MEETEETSE VISITOR CENTER | \$30.00 |
| MEETEETSE, TOWN OF | \$250.00 |
| MEINECKE & SITZ, ATTYS AT LAW | \$350.00 |
| MHL SYSTEMS | \$7,712.31 |
| MONTANA-DAKOTA UTILITIES CO. | \$1,185.22 |
| MOORE, DDS, LEONARD | \$300.00 |
| MOTOR PARTS, INC. | \$73.23 |
| MURDOCH OIL, INC. | \$18,456.30 |
| MURPHY, KATHERINE | \$266.74 |
| NALA HEADQUARTERS | \$125.00 |
| NAPA AUTO PARTS | \$145.08 |
| NATIONAL BUSINESS SYSTEMS | \$459.94 |
| NATIONAL TACTICAL OFFICERS ASSN. | \$150.00 |
| NEMONT | \$46.66 |
| NORCO, INC. | \$141.06 |
| NORTHWEST RURAL WATER DISTRICT | \$67.50 |
| OFFICE SHOP, THE | \$336.24 |
| O'REILLY AUTO PARTS | \$7.98 |
| PARK CO EMPLOYEE BENEFITS TRUST | \$58.50 |
| PARK COUNTY RECREATION BOARD | \$24.77 |
| PARK COUNTY SHERIFF | \$58.34 |
| PAVEMENT MAINTENANCE, INC. | \$54,900.00 |
| PETERBILT OF WYOMING | \$483.06 |
| PITNEY BOWES - RESERVE ACCOUNT | \$5,000.00 |
| PITT, WILLIAM | \$13.98 |
| POWELL ACE HARDWARE, LLC | \$194.25 |
| POWELL OFFICE SUPPLY, INC. | \$1,791.71 |
| POWELL TRIBUNE, INC. | \$338.98 |
| POWELL VALLEY RECYCLING | \$2,000.00 |
| POWELL, CITY OF | \$5,450.67 |
| PRESTON, LYNELL K | \$22.60 |

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| PRO-BUILD - CODY | \$59.71 |
| PRODUCTION MACHINE CORP. | \$2,254.99 |
| R & D WINDOW DESIGNS | \$256.61 |
| RAMEY, VIRGINIA L. | \$27.00 |
| RED BARN | \$79.74 |
| RIMROCK TIRE CO - CODY | \$61.44 |
| RIMROCK TIRE CO - POWELL | \$39.95 |
| ROCKY MOUNTAIN POWER | \$231.99 |
| ROCKY MOUNTAIN WINDSHEILD CO | \$40.00 |
| ROOP, KELSEY | \$128.81 |
| ROSS, BECKY | \$12.00 |
| RUBLE, PEGGY A. | \$12.48 |
| S & S AUDIO-VIDEO, INC. | \$39.18 |
| SAFEGUARD BUSINESS SYSTEMS, INC. | \$140.61 |
| SATCOM GLOBAL FZE | \$57.76 |
| SCHRADER METAL & DESIGN, INC. | \$93.25 |
| SELBYS, INC. | \$99.02 |
| Shell Fleet Plus, Inc. | \$106.85 |
| SHOSHONE OFFICE SUPPLY, INC. | \$455.09 |
| SKORIC, BRYAN | \$444.09 |
| SPECTRA ASSOCIATES, INC. | \$152.95 |
| STEVE'S ELECTRIC, INC. | \$189.36 |
| STROHS INDUSTRIAL LUBRICATION | \$470.00 |
| SYSCO FOOD SERVICES OF MONTANA | \$5,291.06 |
| TASER INTERNATIONAL | \$807.00 |
| TITAN MACHINERY | \$140.98 |
| TRACTOR & EQUIPMENT CO | \$1,548.34 |
| TRI STATE TRUCK & EQUIP, INC | \$483.18 |
| TWO TOUGH GUYS SERVICES | \$490.00 |
| VERIZON WIRELESS | \$418.52 |
| VISIONARY COMMUNICATIONS INC | \$78.00 |
| WAL MART COMMUNITY/GEMB | \$1,045.24 |
| WEBSTER MOTORS, INC. | \$97.45 |
| WILLIAMS, DDS, SCOTT M. | \$150.00 |
| WOODWORKER'S SUPPLY, INC. | \$220.48 |
| WYOMING BOARD OF CONTROL | \$30.00 |
| WYOMING DEPARTMENT OF AGRICULTURE | \$25.00 |
| WYOMING DEPT OF AGRICULTURE* | \$25.00 |
| WYOMING DEPT OF ENV QUALITY - WQD | \$400.00 |
| WYOMING DEPT OF TRANS - MOTOR VEH. | \$2.00 |
| WYOMING LAW ENFORCEMENT ACADEMY | \$425.00 |
| WYOMING STATE ENGINEERS OFFCE | \$75.00 |
| TOTAL | \$303,203.45 |

Approval of Payroll.

Payrolls for January 31, 2013, in the amount of \$529,491.86, and for February 5, 2013, in the amount of \$75,338.68, were presented to the Board for their consideration. It was moved by Commissioner Tilden, seconded by Commissioner French and unanimously carried to approve payroll as presented.

Approval of Minutes.

The minutes of the regular meeting of January 22, 2013 were presented to the Board for their consideration. It was moved by Commissioner Livingston, seconded by Commissioner French and unanimously carried to approve the minutes as presented.

Approval - Letter of Support for Cedar Mountain Center.

Ivan Kuderling, Director of Cedar Mountain Center, came before the Board and requested a letter of support for their State funding application. Mr. Kuderling stated that Cedar Mountain Center receives in excess of \$1 million from the state for mental health for in-patient and out-patient care for the Big Horn Basin area. The letter of support for this funding is one of the State requirements. Cedar Mountain Center has approximately forty employees and had a very busy year with mental

health and substance abuse patients. It was moved by Commissioner French, seconded by Commissioner Tilden and unanimously carried to approve the letter of support as requested.

Approval - Project Development and Administration Agreement with Forward Cody Wyoming, Inc. and George Farms for Wyoming Business Council Grant.

James Klessens, CEO and President of Forward Cody Wyoming, Inc. came before the Board and presented the Project Development and Administration Agreement with Forward Cody Wyoming, Inc. and George Farms for the Wyoming Business Council Grant, in the amount of \$25,000.00. The grant is for a feasibility study to analyze the potential of creating value added dairy products in the area. Following a general discussion regarding wording changes in the document as recommended by County Attorney Bryan Skoric, it was moved by Commissioner Hall, seconded by Commissioner Tilden and unanimously carried to approve the agreement, with the wording changes, and authorized the Chairman to sign.

Approval - Lane 16 Response Letter.

A letter in response to the January 15, 2013 discussion of safety issues and livestock on Lane 16, addressed to Attorney Michael A. LaBazzo, Ken Heinrich, Ken Lange, and Dennis Alquist, was presented to the Board for their consideration. It was moved by Commissioner Tilden, seconded by Commissioner Livingston and unanimously carried to approve the letter as presented.

Approval - Declaration of Speed Limit on Park County 1AB.

Greg Meinecke, County Engineer, came before the Board and presented the declaration of speed limit on paved roads for County Road 1AB in Clark. It was reported that this road has had the speed study completed and is recommended for speed limits of 65, 55, 45 and 20 miles per hour for different portions of the road. It was moved by Commissioner French, seconded by Commissioner Tilden and unanimously carried to approve **RESOLUTION NO. 2013-08, ESTABLISHING SPEED LIMIT ON PAVED ROADS - PARK COUNTY ROAD 1AB.**

Approval - Notice of Intent to Request Discharge Authorization for Storm Water from Mineral Mining or Industrial Activities with Wyoming Department of Environmental Quality for Clark Gravel Pit.

Greg Meinecke, County Engineer, presented the Notice of Intent to Request Discharge Authorization for Storm Water from Mineral Mining or Industrial Activities with Wyoming Department of Environmental Quality for the Clark Gravel Pit. It was moved by Commissioner Tilden, seconded by Commissioner Livingston and unanimously carried to approve the notice as presented and authorized the Chairman to sign.

Approval - Surface Landowner's Consent for Clark Gravel Pit.

Greg Meinecke also presented the Surface Landowner's Consent for the Clark Gravel Pit. It was moved by Commissioner Hall, seconded by Commissioner Tilden and unanimously carried to approve the Surface Landowner's Consent for the Clark Gravel Pit and authorized the Chairman to sign.

Approval - Application for Transportation and Utility Systems and Facilities on Federal Lands - Right-of-way for Landfill Fencing Project.

Travis Hill, Assistant Solid Waste Manager, came before the Board and presented the application for a Transportation and Utility Systems and Facilities on Federal Lands - Right-of-way for Landfill Fencing Project. The project is for a litter control fence to be installed east of the County Regional Landfill. After a general discussion regarding the project and materials to be used, it was moved by Commissioner Tilden, seconded by Commissioner Livingston and unanimously carried to approve the application as presented and authorized the Chairman to sign.

Approval - Loan Draft Request #2 to Wyoming State Loan and Investment Board/Clean Water State Revolving Fund (CW-124) for Landfill Closures.

Tim Waddell, Solid Waste Manager, presented Loan Draft Request #2 to the Wyoming State Loan and Investment Board/Clean Water State Revolving Fund (CW-124) for Landfill Closures. The certification for payment is in the amount of \$20,614.95 for engineering services. It was moved by Commissioner Hall, seconded by Commissioner French and unanimously carried to approve the request as presented and authorized the Chairman to sign.

Approval - Disposal Service Agreements with Keele Sanitation, LLC and Two Tough Guys Services.

Tim Waddell presented the Disposal Service Agreements with Keele Sanitation, LLC and Two Tough Guys Services, at the rate of \$90/ton for solid waste disposal. It was moved by Commissioner Tilden, seconded by Commissioner Livingston and unanimously carried to approve the agreements as presented and authorized the Chairman to sign.

Approval - Letter of Support - Montana's Gardiner Gateway Project.

A letter of support for Montana's Gardiner Gateway Project for the Montana Federal Lands Access Program proposal by Park County, Montana and the National Park Service was presented to the Board for consideration. It was moved by Commissioner Hall, seconded by Commissioner Livingston and unanimously carried to approve the letter of support and authorized the Chairman to sign.

Recess for Lunch.

The meeting recessed for lunch and reconvened at 1:15 p.m.

Continued Public Hearing – Application of USPS Wapiti Post Office for Variance to the Park County Development Standards and Regulations to Place a Mobile Home in the North Fork Planning Area at 1 Streamside Drive.

Linda Gillett, Planning Director, and Becky Ross, Planner II, came before the Board regarding the continued public hearing on the application of the United States Postal Service, Wapiti Post Office, for a variance to the Park County Development Standards and Regulations to Place a Mobile Home in the North Fork Planning Area at 1 Streamside Drive, within Lots 4, 5, 6, 17, & 18, Tracts 52 & 53, Sec. 15, T52N, R104W, Park County, Wyoming in the General Rural 5-Acre (GR-5) Zoning District. Leigh Hettick, Manager of Safety and Health Services for the United States Postal Service from the Colorado/Wyoming District, appeared telephonically and explained the background of the current Wapiti Post Office location, reasons for the request and the statutes of the United States Postal Service. Mr. Hettick stated that the USPS would like to retain the post office in Wapiti, but cutbacks in funding nation-wide will inevitably force the closure of the post office in Wapiti if the current location is not maintained. Mr. Hettick and staff answered questions of the Board and members of the audience. Comments were received from Jon Sowerwine, the landowner of the property, and other members of the audience, regarding zoning issues, safety issues and the location of the post office.

Following the comment period, it was moved by Commissioner Livingston, seconded by Commissioner French and unanimously carried to close the public hearing.

Approval - Application of the USPS Wapiti Post Office for a Variance to the Park County Development Standards and Regulations to Place a Mobile Home in the North Fork Planning Area at 1 Streamside Drive, within Lots 4, 5, 6, 17 & 18, Tracts 52 & 53, Sec. 15, T52N, R104W, Park County, Wyoming in the General Rural 5-Acre (GR-5) Zoning District.

It was moved by Commissioner Hall and seconded by Commissioner Livingston to approve **RESOLUTION 2013-09**, APPROVAL OF A VARIANCE TO THE PARK COUNTY DEVELOPMENT STANDARDS AND REGULATIONS CH.IV.SEC.3(7)a TO ALLOW A MOBILE HOME IN THE NORTHFORK PLANNING AREA FOR U.S. POSTAL SERVICE AND JON SOWERWINE. After a general

discussion, Commissioner Hall amended his motion to reflect that the Resolution be approved with the condition that the applicant shall install permanent concrete foundation and concrete handicapped parking pad within one year of approval. The amended motion was seconded by Commissioner Tilden. Roll was called with unanimous consent.

Executive Session.

It was moved by Commissioner Hall, seconded by Commissioner Livingston and unanimously carried to go into Executive Session regarding matters confidential by law, pursuant to Wyoming Statute §16-4-405(a)(ix).

It was then moved by Commissioner Hall, seconded by Commissioner Tilden and unanimously carried to go out of Executive Session.

Approval – Wyoming Wolf Coalition.

Commissioner Tilden gave a brief history on Park County's previous position as an Intervenor with the State of Wyoming when a lawsuit was filed with the Federal Government on the management of wolves. There are currently three lawsuits filed against Wyoming's Wolf Management Plan and the question was raised whether Park County should file as an Intervenor by itself or join the Wyoming Wolf Coalition, consisting of numerous organizations. Deputy County Attorney James F. Davis spoke regarding the County's previous position as an Intervenor, and stated that the current lawsuits are different than the previous lawsuit on wolf management. Following a general discussion, it was moved by Commissioner Tilden, seconded by Commissioner Hall and unanimously carried to join the Wyoming Wolf Coalition and to fund the coalition in the amount of \$3,000.00.

Executive Session.

It was moved by Commissioner Hall, seconded by Commissioner Tilden and unanimously carried to go into Executive Session regarding matters confidential by law, pursuant to Wyoming Statute §16-4-405(a)(ix).

It was then moved by Commissioner Hall, seconded by Commissioner Tilden and unanimously carried to go out of Executive Session.

Approval - Proposal.

It was moved by Commissioner Hall, seconded by Commissioner Livingston and unanimously carried to approve the proposal discussed in Executive Session.

Adjournment.

It was moved by Commissioner Tilden, seconded by Commissioner Livingston and unanimously carried to adjourn the meeting.

Loren Grosskopf, Chairman

Joseph E. Tilden, Vice Chairman

Bucky Hall, Commissioner

Lee Livingston, Commissioner

Tim A. French, Commissioner

Attest:

Jerri B. Torczon, County Clerk