

Park County Board of County Commissioners
Regular Meeting
Tuesday, June 18, 2019

Chairman Fulkerson called to order a regular meeting of the Board of County Commissioners of Park County, Wyoming, on Tuesday, June 18, 2019. Present were Vice Chairman, Joe Tilden, Commissioners Lee Livingston, Dossie Overfield and Lloyd Thiel, and Clerk Colleen Renner.

Clerk Renner led the audience in the Pledge of Allegiance.

Consent Items:

Approve-Minutes, Payroll and Vouchers

The minutes from June 4, 2019, payroll in the amount of \$435,976.54 which is one bi-weekly and monthly elected salaries in the amount of \$88,887.55 and the vouchers were considered. Also, on the consent agenda for consideration is the monthly earnings and collection statements for the Clerk, Clerk of District Court, and Sheriff as well as agreements from RCI & Companion Life Insurance Agreements, TCT West Lease Agreement, Amendment Two to the Contracts between Wyoming Department of Health and Park County, and the newspaper ad for Park County Museum Board, Commissioner Overfield made a motion to approve all as presented, seconded by Commissioner Livingston and motion carried.

Payee	Amount
307 Glass - Willie Onstine	\$2,200.00
360 OFFICE SOLUTIONS	\$1,762.45
A & I DISTRIBUTORS	\$3,834.52
ADAMSON POLICE PRODUCTS	\$2,783.25
ALDRICH'S - POWELL	\$389.97
AMERICAN WELDING & GAS, INC.	\$118.78
APEX LEGAL PC	\$1,401.67
ARMACOST TRANE SERVICE COMPANY	\$64.96
AT&T MOBILITY	\$170.64
AXIS FORENSIC TOXICOLOGY, INC.	\$230.00
B & B FLEET SERVICE	\$654.00
B & B FLOOR SPECIALTIES	\$872.00
BAILEY ENTERPRISES, INC.	\$154.94
BAILEY ENTERPRISES, INC.	\$90.76
BAILEY ENTERPRISES, INC.	\$5,427.11
BANGERT, BRENDA	\$299.74
BEAR CO., INC.	\$10,659.73
BEARTOOTH ELECTRIC COOP	\$76.80
BIG HORN RADIO NETWORK	\$1,272.60
BIG HORN RURAL ELECTRIC COMPANY	\$344.44
BIG HORN WHOLESALE, INC.	\$726.83
BLACK HILLS ENERGY	\$4,376.85
BLAIR'S MARKET	\$87.76
BLOEDORN LUMBER - POWELL	\$457.94
BLONIGEN, MICHAEL A.	\$1,605.20
BOB BARKER COMPANY	\$191.13
BOONE'S MACHINE SHOP	\$170.58
BRADFORD SUPPLY CO.	\$76.52
BRUCO, INC.	\$726.27
BUILDERS FIRST SOURCE	\$51.16
CARQUEST AUTO PARTS - #064250	\$2,101.99
CARQUEST AUTO PARTS - #274890	\$132.39
CDW GOVERNMENT, INC.	\$11,907.52
CENTURYLINK BUSINES SERVICES	\$16.27
CHARTER COMMUNICATIONS	\$389.26
CODY ACE HARDWARE	\$223.70
CODY COUNTRY CHAMBER OF COMMERCE	\$16.00
CODY ENTERPRISE	\$4,629.27

CODY REGIONAL HEALTH	\$35,232.13
CODY WINNELSON CO.	\$7.86
CODY, CITY OF	\$1,841.88
CONSOLIDATED PLASTICS COMPANY, INC.	\$110.98
COOKE, LISA	\$10.00
COULTER CAR CARE CENTER	\$93.00
CRUM ELECTRIC SUPPLY CO.	\$97.01
D&G ELECTRIC, LLC	\$9,696.11
DENNY MENHOLT CHEVROLET BUICK GMC	\$4,267.88
DING PRO COLLISION CENTER	\$675.00
DODGE COMPANY, THE	\$591.70
EDJE Web Design LLC	\$190.00
FASTENAL	\$936.46
GALLS, LLC	\$8.00
GARLAND LIGHT & POWER CO.	\$1,244.05
GEOTECH ENVIRONMENTAL EQUIPMENT INC	\$12,281.35
GOODYEAR PRINTING	\$703.00
GRADIENT MOUNTAIN SPORTS	\$3,804.34
GREENWOOD, MICHAEL	\$15.08
HEART MTN FARM SUPPLY	\$58.98
HEARTLAND PAPER COMPANY	\$1,659.50
HONNEN EQUIPMENT CO.	\$50.90
IVERSON SANITATION	\$50.00
JOHN DEERE FINANCIAL	\$1,747.40
JOURNAL TECHNOLOGIES, INC.	\$8,086.00
K-B COMMERCIAL PRODUCTS	\$614.57
KEEGAN, KRISJANSONS & MILES, PC	\$800.00
KEELE SANITATION	\$1,822.86
KPOW-AM	\$199.00
LARA, BRETT	\$40.16
MAJESTIC LUBE, INC.	\$222.85
MARQUIS AWARDS & SPECIALTIES, INC	\$31.66
MATHESS, CHARLES LANCE	\$200.60
McJUNKIN, KIM	\$60.50
MEETEETSE, TOWN OF	\$121.70
METTLER-TOLEDO, LLC.	\$624.00
MICKELSON, JOSEPH D	\$298.12
MILLER, MARILYN	\$20.13
MOHLER, TYCEE JO	\$150.00
MONTANA PETERBILT, LLC	\$931.05
MONTANA-DAKOTA UTILITIES CO.	\$1,135.34
MORRISON MAIERLE INC	\$15,631.44
MOTOR PARTS, INC.	\$131.60
MOUNTAIN WEST COMPUTER	\$111.73
MURDOCH OIL, INC.	\$10,133.55
MURDOCH'S RANCH & HOME POWELL	\$2,629.28
NAPA AUTO PARTS	\$154.32
NATIONAL BUSINESS SYSTEMS	\$615.60
NATRONA COUNTY LEGAL DEPARTMENT	\$4,755.00
NORCO, INC.	\$102.53
OFFICE SHOP, THE	\$1,601.28
OLSEN, JAN	\$10.00
ONLINE WEB SERVICE US, INC.	\$359.00
O'REILLY AUTO PARTS - POWELL	\$30.46
PENWELL, STEVE	\$23.00
PFIZER INC.	\$612.18
POLECAT PRINTERY	\$50.00
POWELL ACE HARDWARE, LLC	\$1,026.44
POWELL TRIBUNE, INC.	\$3,588.77
QUILL CORPORATION-	\$179.99
RAPID FIRE PROTECTION, INC	\$815.00
RED IRON REPAIR, INC	\$568.39
RIMROCK TIRE CO - CODY	\$583.60
ROCKY MOUNTAIN CUSTOM PHOTOGRAPHIC	\$22.00
ROCKY MOUNTAIN POWER	\$484.03
ROCKY MOUNTAIN WASH, LLC	\$39.00
ROGER'S SPORT CENTER	\$106.99

SABER PEST CONTROL	\$120.00
SANOFI PASTEUR, INC	\$2,606.52
SAUCEDA, DAVE	\$327.15
SECRETARY OF STATE	\$30.00
SIMPSON, KEPLER & EDWARDS, LLC	\$670.00
SKORIC, BRYAN	\$120.64
SPEES, CANDRA	\$540.12
SUMMERS, JOSH	\$55.69
SUN RIDGE SYSTEMS, INC.	\$1,200.00
SYSCO FOOD SERVICES OF MONTANA	\$2,002.97
THIEL, LLOYD	\$448.92
THOMPSON LAW LLC	\$700.00
THOMPSON REUTERS - WEST	\$749.00
TITAN MACHINERY	\$231.87
TRI STATE TRUCK & EQUIP, INC	\$2,883.12
TRIPLE L SALES	\$264.23
UNIVERSITY OF WY - ADMIN BUSINESS OFFICE	\$5,003.78
UPS STORE, THE	\$34.32
UW EXTENSION	\$165.40
VARDIMAN, JEREMIAH	\$381.42
VISA - #0037 - B. POLEY	\$988.74
VISA - #0045 - B. SKORIC	\$802.26
VISA - #0052 - P. MEYER	\$2,697.62
VISA - #0078 - J. FULKERSON	\$2.50
VISA - #0086 - W.E. CRAMPTON	\$4,085.69
VISA - #0235 - B. EDWARDS	\$167.88
VISA - #0250 - C. RENNER	\$6,414.28
VISA - #0268 - P. LINDENTHAL	\$235.33
VISA - #0276 - T. POWER	\$76.19
VISA - #0359 - S. STEWARD	\$709.60
VISA - #0367 - J. HILL	\$852.70
VISA - #0409 - M. CONNERS	\$2,580.42
VISA - #3916 - S. STEWARD	\$3,663.59
VISA - #3949 - M. GARZA	\$5,556.19
VISIONARY COMMUNICATIONS, INC.	\$82.43
WADDELL, TIM	\$57.06
WEBSTER, II, C.E., ATTORNEY LLC	\$830.00
WILLIAMS & SONS, LLC	\$60.00
WLASCHIN, AINSLEY	\$95.75
WPCI CONSULTANTS, INC.	\$126.00
WYOMING BEHAVIORAL INSTITUTE	\$17,704.69
WYOMING DEPARTMENT OF EMPLOYMENT	\$191.89
WYOMING DEPARTMENT OF HEALTH	\$431.68
WYOMING DEPARTMENT OF HEALTH/PBL HLTH LB	\$171.00
WYOMING DEPT OF FAMILY SERVICES	\$10.00
WYOMING STATE PUBLIC DEFENDER	\$1,600.00
WYOMING WATER WORKS	\$1,507.50
YATES, LORI	\$20.00
TOTAL	<u>\$266,047.47</u>

Park County Clerk Colleen Renner – RE: Resolution – Park County Clerk Public Records

Clerk Renner read the resolution and stated Attorney Skoric has approved, Commissioner Livingston made motion to approve public record point of contact, Commissioner Thiel seconded, and motion carried. **RESOLUTION 2019-30**

Park County Deputy Clerk Hans Odde – RE: Public Hearing: Renewal of all Park County Liquor Licenses

Chairman Fulkerson opened the Public Hearing.
 Mr. Odde presented the annual renewal for liquor licenses to the Board. Three licensees have requested the additional designation for guest ranch status, one licensee chose not to renew, and one license was granted non-operational last year and is applying for a second year of non-operational status that is optional at the commissioner’s discretion.

Chairman Fulkerson called for public comment. There being none Commissioner Livingston made a motion to close the public hearing, Commissioner Thiel seconded, and motion carried.

After discussion with regards to the non-operational license held by Heart Mountain Pub, Commissioner Thiel made a motion to deny the renewal application, Commissioner Tilden seconded, and motion carried.

Commissioner Livingston made a motion to approve the remaining 22 full retail licenses 10 of which have requested guest ranch status, 1 satellite manufacturers permit, 1 restaurant license with the guest ranch status, 3 malt beverage licenses as presented, Commissioner Tilden seconded, and motion carried.

Park County Payroll Clerk Bobbie Hinze – RE: Approve Park County Health Incentive Payout

Ms. Hinze presented the employee health incentive payout for \$117,300 which is a 4% increase in participation over the past year which included 2% from employees and 7% from spouses, Commissioner Livingston made a motion to approve for the amount stated, Commissioner Overfield seconded, and motion carried.

Park County Planning & Zoning, Planner II, Kim Dillivan – RE: Public Hearing - Bald Peak Ranch Large Impact Structure, SUP-180

Chairman Fulkerson opened the public hearing.

Mr. Dillivan presented the staff report for the SUP application for a 14,256 square foot indoor riding arena which was received April 10, 2019. the arena will be for personal use in a GR-35 zoning district and neighboring land uses are agricultural or public land. The proposed riding arena will be place between two existing barns. No public comments were received, and all legal notices and agency referrals were met. Letters were received from Public Works, Weed & Pest and Powell Clarks Fork Conservation District.

Planning & Zoning reviewed and recommends approval with conditions noted in Resolution 2019-11.

Chairman Fulkerson called for comments from the public, there being none Commissioner Livingston made a motion to close the public hearing, Commissioner Tilden seconded, and motion carried.

Commissioner Tilden made a motion to approve the SUP, Commissioner Livingston seconded, and motion carried. **RESOLUTION 2019-31**

Park County Planning & Zoning, Planner II, Kim Dillivan – RE: Public Hearing: Dry Creek Minor Subdivision -28

Chairman Fulkerson opened the public hearing and at this time recused himself and left the chambers, Commissioner Tilden is the applicant and recused himself and took a seat in the audience.

Commissioner Livingston assumed the role of chairman for this hearing.

Mr. Dillivan presented the staff report for a subdivision application which was received April 22, 2019, including payment, description of the proposed use, sketch plan, title report and a copy of the Notice of Intent to Subdivide from Joe Tilden which will create a three-lot minor subdivision with each lot being smaller than 35 acres. The proposed subdivision is located southwest of Hwy 120 and just northwest of Cody city limits. The parcel is located within a GR-5 zone, notices and agency referrals have been met. Municipal review was provided to the City of Cody per state statute, comments were received from planner Todd Stowell. Public comments were received and requests for information provided.

Acting Chairman Livingston called for public comments, there being none Commissioner Thiel made a motion to close the public hearing, Commissioner Overfield seconded, and motion carried.

Commissioner Thiel made a motion to approve the Dry Creek Minor subdivision sketch plan, Commissioner Overfield seconded, after discussion

Acting Chair, Commissioners Livingston, Overfield and Thiel voted aye, and motion carried. **RESOLUTION 2019-32**

Park County Planning & Zoning, Planner II, Kim Dillivan – RE: Public Hearing: Live Iron Minor Subdivision - 27

Chairman Fulkerson opened the public hearing, Commissioner Overfield recused herself and left the chambers.

Mr. Dillivan presented the staff report for a subdivision application which was received March 18, 2019 including payment, description of the proposed use, sketch plan, title report and a copy of the Notice of Intent to Subdivide from Brian K. Shumard which will create a four-lot minor subdivision. The minor subdivision will vacate Lots 1 and 2 of the Stage Station Simple Subdivision and create four newly designed minor subdivision lots. The proposed subdivision is located 3.3 miles southwest of Ralston. Notices and agency referrals have been met, Planning and Zoning recommends approval with conditions regarding easements, utilities, noxious weed plan, legal access and irrigation plan stated in Resolution 2019-15. Mr. Edwards commented on driveway and access from Hwy 14A approved by WYDOT.

Chairman Fulkerson called for public comments. Jan Clements, Eagle Ranch Subdivision HOA President, Melody and Dave Lanchbury, Newt Pawley and Ken Lauer and Russ Frances all made comments, there were also written comments received. Kimberly Banathy, Engineering Associates made comment to answer WYDOT questions.

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

After discussion with the proposed sketch plan, Commissioner Livingston stated he would like the issues with WYDOT, legal access and irrigation cleaned up, Commissioner Tilden and Thiel felt the same way and recommended they take care of restrictions that were discussed. No decision was made.

At this time Commissioner Overfield returned to chambers.

Park County Planning & Zoning, Planner II, Kim Dillivan – RE: Public Hearing: Pescadero Minor Subdivision - 29

Chairman Fulkerson opened the public hearing.

Mr. Dillivan presented the staff report for a subdivision application which was received on April 22, 2019 including payment, description of the proposed use, sketch plan, title report and a copy of the Notice of Intent to Subdivide from Pescadero Properties LLC to create a four-lot subdivision located 2.8 miles east of Powell on Lane 8H in a GR-P zoning district. Notices and agency referrals have been met, Planning and Zoning recommends approval with conditions regarding easements, quality water, long term noxious weed plan, legal access and irrigation plan stated in Resolution 2019-16.

Chairman Fulkerson called for public comments. Ken Bartle made comments regarding covenants and waste water, Scott Lewis of Granite Engineering answered Mr. Bartle's comments regarding waste water and not having received a letter from Powell-Clark's Fork Conservation District. Ms. Hill stated that it is a requirement on the soil analysis and they have 60 days to respond. There being no further comments from the public, Commissioner Thiel made a motion to close the public hearing, Commissioner Tilden seconded, and motion carried.

Commissioner Thiel made a motion to approve the subdivision with the condition that the soil analysis be received, Commissioner Tilden seconded, and motion carried. **RESOLUTION 2019-33**

Park County Planning & Zoning Director Joy Hill – RE: Public Hearing: Beartooth Ranch Floodplain 4-19

Chairman Fulkerson opened the public hearing.

Ms. Hill presented the staff report regarding an application received from the Beartooth Ranch Advisory Committee dated May 24. The Wyoming Office of State Lands and Investments provided a temporary use permit allowing the construction of this structure and one other structure on the same property. The structure must be constructed using flood resistant materials. Notices and agency referrals have been met. Mr. Edwards, County Engineer commented on the structure being constructed in a “Special Wind Region” which will require special care and consideration for design purposes. Written comments were received.

Chairman Fulkerson called for public comments. Comments were received from Lyn Fortunato, Coy Ford, General Manager for Cleary buildings who are Wyoming licensed engineers, Christy Hoffert and Tim Wade. There being no further comments, Commissioner Livingston made a motion to close the public hearing, Commissioner Thiel seconded, and motion carried.

Chairman Fulkerson commented on a challenge we are being faced with regarding county liability with the indemnification clause listed in the Temporary Use Permit from the State of Wyoming. Mr. Fulkerson stated at this time the commissioners are waiting for Mr. Skoric, County Attorney to review the documentation before a decision will be made.

Park County Commissioners – RE: Beartooth Ranch Committee

Leonard Fortunato gave an update regarding what the Beartooth Ranch Committee is working on which included the new logo, picnic shelters, Game & Fish access, water sport and river recreation, rangeland management plan, the lower habitat area, and conversations with Jason Crowder regarding some safety issues.

After further discussion with regards to whom the advisory committee answers to Commissioner Thiel made a motion to sever the ties between Park County and Beartooth Ranch Committee, Chairman Fulkerson seconded for discussion. Discussion between the Commissioners and committee members brought up more questions and more research may be needed first. Chairman Fulkerson called for the question, Commissioner Thiel voted aye, Commissioners Overfield, Livingston and Tilden voted nay, motion failed.

Chairman Fulkerson and Mr. Edwards, County Engineer recognized Bob Senitte for his sixteen years of service with Park County.

Park County Engineer Brian Edwards – RE: Fulfillment of terms of agreement between Park County and Ron Williams - Andy Martin Hill on County Road 6WX

Mr. Edwards gave a brief history of the agreement the County entered into with Mr. Williams five years ago which is due to expire in August. The deed documents are with the County Attorney currently. Commissioner Livingston made a motion to approve the quit claim deed, subject to Attorney approval, Commissioner Overfield seconded, and motion carried.

Park County Building & Grounds Superintendent, Mike Garza – RE:

1. **3% Workman’s Compensation Discount** – Mr. Garza reported a July 10 inspection of facilities is scheduled. Possibility of random drug and alcohol testing could bring premiums down. Mr. Garza will provide more information before a decision is made.
2. Plans for Park County Coroner Facility – The facility is temporarily set up in law enforcement. The commission recommended that Mr. Garza work with Mr. Powers and move forward with acquiring a cost estimate for a new coroner facility.

Park County Chief Information Officer, Michael Conners – RE:

1. **Approve Park County Security & Testing Policy** – Mr. Conners presented the county wide computer network security awareness policy.

The first test will be about 45 minutes to 1 hour in length which will be required to be taken by all network users, then quarterly testing will be completed. Mr. Connors will make corrections as discussed and report back in two weeks.

- 2. **Approve additional cost for Park County Jail Video System** – Commissioner Overfield made a motion to approve change order number two in the amount of \$3001.13, Commissioner Thiel seconded, and motion carried.

Consideration of closing July 5, 2019

Commissioner Thiel moved to approve the closure of all county non-essential business on July 5th, Chairman Fulkerson seconded for discussion. Commissioner Thiel stated this is the 100th year of the Cody Stampede, the Courthouse is already closed on the 4th and with budgets being tight this might be good for employee morale. No further comments, Chairman Fulkerson called for the question, all in favor, motion carried.

Executive Session.

Commissioner Livingston moved to go into executive session pursuant to Wyoming State Statue § 16-4-405 (a) (ii), seconded by Commissioner Thiel and unanimously carried. Interviews for the following boards were conducted.

- ✓ Park County Library Board
- ✓ Park County Parks & Recreation Board
- ✓ Park County Fair Board
- ✓ Park County Museum Board

Chairman Fulkerson called to reconvene the regular meeting.

Commissioner Tilden made a motion to appoint Nichole Gerharter to the Museum Board, Bethany Taylor to the Library Board, Commissioner Thiel seconded, and motion carried.

Commissioner Overfield made a motion to appoint Teresa Decker to the Fair board and Kim Banathy to the Dam Visitor Center Board, Commissioner Livingston seconded, and motion carried.

3:30 p.m. Executive Session.

Chairman Fulkerson convened an executive session pursuant to W.S. § 16-4-405 (a) (ix).

Commissioner Overfield moved to exit from executive session, Commissioner Tilden seconded, and the motion carried. No decisions were made in or as a result of the executive session.

Adjourn.

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

Jake Fulkerson, Chairman

Joe Tilden, Vice Chairman

Lee Livingston, Commissioner

Dossie Overfield, Commissioner

Lloyd Thiel, Commissioner

Attest:

Colleen Renner, County Clerk