

**Park County Board of County Commissioners
Regular Meeting**

Tuesday, September 17, 2019

Chairman Fulkerson called to order a regular meeting of the Board of County Commissioners of Park County, Wyoming, on Tuesday, September 17, 2019. Present were Commissioners Lee Livingston, Dossie Overfield and Lloyd Thiel, and Clerk Colleen Renner, Vice Chairman, Joe Tilden was absent.

Bucky Hall led the audience in the Pledge of Allegiance.

Consent Items:

Approve-Minutes, Payroll and Vouchers

Commissioner Livingston made a motion to approve the following consent agenda items with the removal of the voucher purchasing a \$6,000 trailer for Public Health. The minutes from September 3 and 10, bi-weekly payroll in the amount of \$407,279.13, Elected Payroll in the amount of \$90,107.86, Vouchers, Monthly Earnings and Collection Statements for the Clerk, Clerk of District Court, and Sheriff, Approve and Chairman Sign the 2020 Snow Collection & Deposit Agreement with the City of Powell, Approve 2020 Park County Health Incentive Program - \$500 per Eligible Participant. Commissioner Thiel seconded and the motion carried.

Park County Clerk, Colleen Renner – RE: Request to Replace an Employee in the Clerk's Office

Hans Odde, First Deputy Clerk presented to the board statistics from 2015 to the present and what a typical day looks like between the title clerks and land clerks. After discussion Commissioner Livingston made a motion authorizing the rehire, Commissioner Overfield seconded, and motion carried.

Park County Commissioners – RE: Cloud Peak Counseling Center Debt –

County Attorney Skoric explained the review process he uses prior to vouchering and paying invoices from Cloud Peak.

Yellowstone Regional Air Board Member, Bucky Hall – RE: Cody Air Services and Resources

Mr. Hall gave an air service update with June to August setting record numbers of passengers flying in and out of Cody. United to Chicago has averaged about 80% usage rate. The food and beverage in the secure area has been a huge success. Three members of the CYAIR board will be traveling to Chicago this fall lobby for next years' service.

Park County Planning & Zoning Planner II, Kim Dillivan – RE: Public Hearing: Enchantment Creek Apothecary Value-added Agricultural Business SUP-185

Mr. Dillivan presented a Special use Permit Application signed by Heather Olson as applicant and Tammara Jones as property owner, dated May 20, 2019 for a Site Plan Review. The approval is for a value-added agriculture business for growing herbs and flowers to create herbal remedies. The business will start small and long term will have eight tunnel greenhouses. There is a commercial kitchen on the property. The property is zoned GR-P, legal notices have been met, one public comment received, well water will only be used for cleaning and washing plant material and equipment, Weed & Pest does not require a noxious weed control plan. Legal notices have all been met. An erosion control plan has been reviewed and approved by Public Works. Setback requirements for future greenhouses and other structures is 40 foot from the county road.

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

Commissioner Livingston made a motion to approve SUP-185 as presented, Commissioner Overfield seconded, and motion carried.

RESOLUTION 2019-53

Park County Planning & Zoning Planner II, Kim Dillivan – RE: Public Hearing: Lil Britches Institutional Use SUP-187

Mr. Dillivan presented a SUP for the continuation of Michael & Melissa Ehrmantraut using their home located at 614 Lane 9, Powell as a daycare which is in a GR-P Zone. The SUP is required to expand the usage to 15 children. Legal notices have been met and agencies notified. The Fire Marshall has inspected and there is an annual emergency preparedness plan in place. If this SUP is approved the zoning/building permit 2009-002 will become null and void. Property owners in the area signed a consent and waiver allowing the Ehrmantraut's to operate a day/child care business.

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

Commissioner Overfield made a motion to approve SUP-187 with conditions recommend by staff, Commissioner Thiel seconded, and motion carried.

RESOLUTION 2019-54

Park County Planning & Zoning Planner II, Kim Dillivan – RE: Public Hearing: Honfi Commercial Storage SUP-188

Mr. Dillivan presented a SUP for the for a 20 ft. by 120 ft. metal building containing twelve (12) 10 ft. by 20 ft. storage units for commercial rental use in a Rural Residential 2-Acre (RR-2) zoning district. There is currently a 20-unit storage facility located 729 and 731 Road 2ABS, Cody, WY. All legal notices have been met and a form letter signed by neighbors in support of this proposal has been received.

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

Commissioner Overfield made a motion to approve SUP-188 with conditions recommend by staff, Commissioner Thiel seconded, and motion carried.

RESOLUTION 2019-55

Park County Planning & Zoning Director Joy Hill – RE: Public Hearing: Review of the 2nd Amended Plat for Sage Creek Subdivision (Original Lot 11 and the Easterly Portion of Original Lot 17)

Ms. Hill presented the second amended plat Sage Creek Subdivision by vacating Lot 111 (11.72 acres) and Lot 117 (0.87 acres) of the Amended Plat of Sage Creek Subdivision, thus creating two newly configured lots within the existing 12.59-acre space: Lot 211 (10.55 acres) and Lot 217 (2.04 acres). The two lots are intended for continued residential use. Lot 11 is owned by Don and Jean Bullock Revocable Living Trust according to a Quitclaim Deed (Document #2007-9430). Lot 17-A is owned by Steven J. Bullock according to a Quitclaim Deed (Document #2017-3983). Neighboring land use is mostly residential some agriculture. Comments received regarding flooding, lot size, and road issues. The plat was reviewed by the plat committee September 4, 2019.

Chairman Fulkerson called for public comments. Charles Bulmer and Bob Spears made comments regarding accessibility to these documents, it was stated by staff that documents can be found on www.parkcounty.us

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

Commissioner Livingston made a motion to approve the amended plat for the Sage Creek Subdivision with staff conditions, Commissioner Overfield seconded, and motion carried. **RESOLUTION 2019-56**

Park County Planning & Zoning II, Kim Dillivan – RE: Public Hearing: Three Eagles Variance Request MS-30

Mr. Dillivan presented the variance request which was received from Jodene A. Pappenfort on August 28, 2019 requesting a waiver on the requirement to stub a gas distribution line to the lot line of Lot 3 of the proposed Three Eagles MS-30. There are existing corrals and pasture for livestock and agricultural usage on proposed Lot

3. The applicant has stated that continued use of the land in the same manner that it has been used for the past several years, including, but not limited to, pasture for livestock and agricultural usage.

Chairman Fulkerson called for public comment, property owner Jodeen Pappenport shared her discussion regarding the gas line with MDU. There being no further comments from the public Commissioner Overfield made a motion to close the public hearing, Commissioner Livingston seconded, and motion carried.

Commissioner Livingston made a motion to approve the variance with staff conditions, Commissioner Thiel seconded with an amendment stating if Lot 3 is sold separately from Lot 1 natural gas should be stubbed prior to sale of Lot 3, Commissioner Livingston accepted the friendly amendment, and motion carried.

RESOLUTION 2019-57

Park County Planning & Zoning Director, Joy Hill – RE: Barrows Amended Plat

Ms. Hill presented the existing plat of Barrows Major Subdivision; the applicant is applying to alter the location of the 20’ wide alley formerly adjacent to Lot 18 and approved by Resolution 2001-15. The alley has been moved to the east side of Lot 21 by way of Board approval on July 16, 2019. The exchange of land is resulting in Lots 18, 19, 20 and 21 being reconfigured and renamed to Lots 18A, 19A, 20A, and 21A, respectively. The property is in unincorporated Ralston. The Planning Director determined that a public hearing was not required due to the extensive opportunities for public review during the alley alteration process which required public hearings and Board approval.

Commissioner Thiel made a motion to accept the alteration of the Barrows amended plat, Commissioner Overfield seconded, and motion carried.

Park County Engineer, Brian Edwards – RE: Project Update – County Road 6WX (Southfork Road) FLAP Project – Review of Federal Highway Administration Proposed Contract Amendments

Mr. McDonald, assistant county engineer, gave an update on this project with regards to dates of completion, additional costs, set-backs due to road conditions, unsuitable soils and water under roadway.

Mr. Edwards presented the FEMA amendment stating the way this is written our maximum exposure is 9.51% or \$280,000 whichever is larger.

Commissioner Overfield made a motion to approve the agreement and fund transfer #1 dated September 9, 2019, Commissioner Thiel seconded, and motion carried.

Adjourn.

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

_____ Jake Fulkerson, Chairman	_____ Absent Joe Tilden, Vice Chairman
_____ Lee Livingston, Commissioner	_____ Dossie Overfield, Commissioner
_____ Lloyd Thiel, Commissioner	Attest: _____ Colleen Renner, County Clerk