

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

Tuesday, December 17, 2019

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

Steve Pomajzl led the audience in the Pledge of Allegiance.

Auditor Report – Jason Lund, Carver Florek & James, CPA’s

Mr. Lund presented to the board the FY2019 audit report stating approximately 400 hours were spent auditing the County books. The preliminary visit was in July and they finished their annual onsite work in October. Mr. Lund stated that his firm found no material weakness and issued an unqualified or clean opinion. The public may see the audit report at <http://www.parkcounty.us/countyclerk/clerk.html>.

Consent Items:

Approve-Minutes, Payroll and Vouchers

Commissioner Overfield made a motion to approve the following consent agenda items: minutes from December 3, bi-weekly payroll in the amount of \$426,423.54 and elected payroll in the amount of \$90,148.78; vouchers; monthly earnings and collection statements for the Clerk, Clerk of District Court, and Sheriff; Park County Procurement Policy and Procedures Manual; Chairman Sign FY2019 WYDOT CMAQ Funding; Sign Park County Lease Agreement with Wyoming Coalition Against Domestic Violence and Sexual Assault; and Park County Lease Agreement with Wyoming Legal Aid; Commissioner Livingston seconded, and the motion carried.

Payee	Amount
360 OFFICE SOLUTIONS	\$1,364.64
AIRCYCLE CORPORATION	\$2,136.75
ALBERTSONS - SAFEWAY	\$97.88
APPLIED CONCEPTS, INC.	\$4,944.25
AT CONFERENCE	\$116.67
AT&T MOBILITY	\$120.32
B & B FLEET SERVICE	\$414.55
BAILEY ENTERPRISES, INC.	\$158.56
BAILEY ENTERPRISES, INC.	\$4,695.74
BEAR CO., INC.	\$139.23
BENNETT, M.D., THOMAS L.	\$4,135.20
BIG HORN COUNTY CORONER	\$200.00
BIG HORN GALLERIES	\$96.00
BIG HORN RURAL ELECTRIC COMPANY	\$317.10
BIG HORN WHOLESALE, INC.	\$2,025.26
BLACK HILLS ENERGY	\$1,379.61
BLAIR'S MARKET	\$29.94
BOB BARKER COMPANY	\$451.62
BOBCAT OF THE BIG HORN BASIN, INC.	\$9.39
BONNER LAW OFFICE	\$650.00
BOONE, JACQUE	\$19.71
BOONE'S MACHINE SHOP	\$59.00
BRUCO, INC.	\$26.97
CARQUEST AUTO PARTS - #064250	\$189.32
CDW GOVERNMENT, INC.	\$1,581.27
CENTURYLINK	\$2,524.43
CENTURYLINK BUSINESS SERVICES	\$20.04
CHARTER COMMUNICATIONS	\$370.97
CHOICE AVIATION, LLC	\$2,306.25
CHRISTIE, LOGAN	\$150.80
CLARK KING & MICHEL, PC	\$425.00
CODY ACE HARDWARE	\$198.32
CODY ENTERPRISE	\$3,009.21
CODY WINNELSON CO.	\$106.72

CODY, CITY OF	\$45,519.85
COPENHAVER KATH KITCHEN & KOLPITCKE LLC	\$400.00
CORRECTIONAL HEALTHCARE COMPANIES, INC.	\$19,932.85
COULTER CAR CARE CENTER	\$183.25
CROFT, KIMBALL	\$27.84
CUSTOM DELIVERY SERVICE, INC.	\$31.63
DE HAAN ELECTRONICS	\$270.00
DENNY MENHOLT CHEVROLET BUICK GMC	\$242.10
EDJE Web Design LLC	\$190.00
ENERGY LABORATORIES, INC.	\$200.00
FASTENAL	\$290.12
FLOYD'S TRUCK CENTER	\$236.97
FORTERRA	\$66,795.80
FREMONT BEVERAGES, INC.	\$12.40
FREMONT MOTOR CODY, INC.	\$99.99
FULL DRAW CONSTRUCTION	\$2,682.40
GALLS, LLC	\$391.25
GARLAND LIGHT & POWER CO.	\$1,474.72
GENERATION X, INC.	\$2,200.00
GILLETTE COLLEGE	\$2,096.46
GLAXOSMITHKLINE PHARMACEUTICALS	\$1,440.60
GOODYEAR PRINTING	\$108.00
GUERTIN, ANDREW	\$23.14
HEARTLAND PAPER COMPANY	\$607.00
HONNEN EQUIPMENT CO.	\$4,883.32
IAAO	\$525.00
INTERSTATE BATTERIES	\$362.85
JMS CRANE AND RIGGING	\$31,290.00
KEELE SANITATION	\$2,027.18
KENCO SECURITY AND TECHNOLOGY	\$396.75
LEON UNIFORM COMPANY, INC.	\$153.00
LOEPER, JESSICA	\$5,415.00
MAJESTIC LUBE, INC.	\$148.90
McINTOSH OIL, INC.	\$2,792.38
MICKELSON, JOSEPH D	\$331.76
MOHLER, TYCEE JO	\$498.45
MONTANA-DAKOTA UTILITIES CO.	\$368.33
MURDOCH OIL, INC.	\$21,222.33
MURDOCH'S RANCH & HOME POWELL	\$117.44
NATIONAL BUSINESS SYSTEMS	\$492.84
NEMONT	\$48.00
NEWEGG BUSINESS, INC.	\$44.04
NORCO, INC.	\$71.34
NORTHWEST RURAL WATER DISTRICT	\$81.65
OFFICE SHOP, THE	\$1,561.65
O'REILLY AUTO PARTS - CODY	\$823.94
PARK COUNTY WEED & PEST CONTROL	\$9,550.46
PATRICK, BRIANNE	\$175.00
PENWELL, STEVE	\$24.00
PITNEY BOWES - RESERVE ACCOUNT	\$20,000.00
PITT, WILLIAM	\$100.00
POWELL ACE HARDWARE, LLC	\$177.77
POWELL TRIBUNE, INC.	\$50.00
POWELL TRIBUNE, INC.	\$1,844.36
POWELL WELDING AND INDUSTRIAL SUPPLY LLC	\$138.93
POWELL, CITY OF	\$7,275.77
QUILL CORPORATION	\$175.28
QUILL CORPORATION-	\$149.27
ROCKY MOUNTAIN POWER	\$137.78
ROCKY MOUNTAIN WASH, LLC	\$66.00
SANOFI PASTEUR, INC	\$1,965.95
SAUCEDA, DAVE	\$30.16
SIMPSON, KEPLER & EDWARDS, LLC	\$830.00
SKORIC, BRYAN	\$90.48
SMITH, SAIGE	\$150.80
SPECIALTY TOOL & ATTACHMENT	\$409.16

SUMMERS, JOSH	\$26.38
SWING TRUCKING INC.	\$3,900.00
SYSCO FOOD SERVICES OF MONTANA	\$1,689.88
TCT WEST, INC	\$8,258.45
THOMPSON REUTERS - WEST	\$763.98
TITAN MACHINERY	\$1,700.92
T-O ENGINEERS	\$2,141.75
TRACTOR & EQUIPMENT CO	\$24.46
TRI STATE TRUCK & EQUIP, INC	\$22,443.37
VARIAN, ANDREW STEVEN	\$10.00
VERIZON WIRELESS	\$155.44
VISA - #0037 - B. POLEY	\$1,027.86
VISA - #0045 - B. SKORIC	\$140.46
VISA - #0052 - P. MEYER	\$396.73
VISA - #0086 - W.E. CRAMPTON	\$173.95
VISA - #0191 - J. FULKERSON	\$154.03
VISA - #0227 - T. WADDELL	\$25.27
VISA - #0235 - B. EDWARDS	\$133.76
VISA - #0250 - C. RENNER	\$25.00
VISA - #0268 - P. LINDENTHAL	\$108.68
VISA - #0359 - S. STEWARD	\$632.59
VISA - #0367 - J. HILL	\$44.90
VISA - #0409 - M. CONNERS	\$6,860.57
VISA - #3916 - S. STEWARD	\$2,805.99
VISA - #3949 - M. GARZA	\$1,309.90
VISA - #3972 - J. TATUM	\$650.55
VISIONARY COMMUNICATIONS, INC.	\$82.43
WEBSTER, II, C.E., ATTORNEY LLC	\$660.00
WILLIAMS & SONS, LLC	\$60.00
WLASCHIN, AINSLEY	\$55.16
WPCI CONSULTANTS, INC.	\$126.00
WY ASSOC OF COUNTY AGRICULTURAL AGENTS	\$100.00
WYOMING DEPARTMENT OF EMPLOYMENT	\$152.93
WYOMING DEPARTMENT OF HEALTH	\$237.12
WYOMING STATE BAR	\$325.00
WYOMING STATE PUBLIC DEFENDER	\$800.00
YANKEE CAR WASH	\$20.00
YELLOWSTONE COUNTY SHERIFF	\$150.00
TOTAL	<u>\$355,297.92</u>

Park County Engineer, Brian Edwards – RE: Open Proposals for Construction Manager at Risk for the Park County Coroner’s Building

Mr. Edwards, County Engineer and Mr. Odde, First Deputy Clerk opened sealed proposals for Construction Manager at Risk (CMAR) services to assist with construction of the new coroner building as advertised. Proposals were received on time in the Clerk’s office from the following general contractors in response to the County’s *Request for Proposals*:

- Tundra General Contractors – Cody, Wyoming
 - Building \$302,450.00, Garage \$82,600.
- Filener Construction – Cody, Wyoming
 - Building \$276,150.00, Garage \$41,300.
- Groathouse Construction – Cody, Wyoming
 - \$5,000 CMAR Preconstruction Fee + 10% Cost of Work During Construction
- Heart Mountain Construction – Powell, Wyoming
 - Building \$345,779.25, Garage \$217,196.70
- Sletten Construction – Cody, Wyoming
 - Building \$355,050.00, Garage \$136,290.00

Mr. Edwards stated that the costs provided are merely estimates at this point and do not include professional services, site work and other related work. The review committee will review the proposals submitted based on several factors including project approach, schedule, experience on similar projects, and overall best value to the County. Mr. Edwards will return in January with recommendations from the review committee.

Park County Deputy Clerk, Hans Odde – RE: Replacing the Planning & Zoning Vehicle

Mr. Odde presented the process to replace the vehicle assigned to Planning & Zoning that was wrecked. The County has received a check in the amount of \$7,025.64 from Mountain West Farm Bureau Insurance for the vehicle which was totaled. The County's property insurer, Wyoming Association of Risk Management will cover the replacement cost of the vehicle minus the county deductible of \$5,000.

Commissioner Thiel made a motion to proceed with the purchase of another Equinox and only pay the \$5,000 deductible, Commissioner Tilden seconded, and motion carried.

Commissioners – RE: Liaison reports

Commissioner Tilden had nothing to report.

Commissioner Thiel reported on the Predatory Board meeting where they discussed the budget for next year, how to handle public information requests, and types of calls they receive. Mr. Thiel also attended the Weed & Pest meeting with nothing new to report.

Commissioner Livingston had nothing to report.

Commissioner Overfield reported on the tour of the new Forward Cody office and the Gunworks building. Parks & Rec reported that Powell Golf Course requested funding and was approved to purchase six new golf carts.

Chairman Fulkerson gave an update on the open library position which has not been filled to date. Chairman Fulkerson also mentioned he and Commissioner Tilden have presented on speak your piece.

Park County Planning & Zoning Planner II, Kim Dillivan – RE: Public Hearing: Maxx Diesel Repair SUP-189

Chairman Fulkerson opened the public hearing.

Mr. Dillivan presented Mr. Sheets application dated October 21, 2019 for the property located at 1071 Lane 11H in Powell in a general rural zoning district and is classified as a Cottage industry. All agency referrals have been met with some having comments. Staff and the Planning & Zoning Board recommend approval with the following conditions: noise, lighting and other nuisance regulations apply; business hours are Monday through Friday 8 a.m.-5 p.m.; the addition of employees beyond one employee proposed shall require an amendment and possible changes in the small wastewater system; vehicles related to the business shall be parked in the designated areas; "No Smoking" signs should be placed in places easily seen by the customers; hazardous materials shall be handled and disposed of in accordance with State and Federal laws; and the applicant shall otherwise comply with the standards of Park County.

The Commissioners asked questions regarding the no smoking signs, business hours, if a no smoking sign is needed on the business, number of employees and made certain Mr. Sheets understood that any changes will require filing a new SUP.

Chairman Fulkerson called for public comment, Mr. Sheets answered the questions from the board. There being no further discussion or 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 SUP as presented, Commissioner Overfield seconded and questioned the inclusion of one additional employee, Commissioner Livingston accepted the friendly amendment and the motion carried. **RESOLUTION 2019-65**

Park County Planning & Zoning Planner II, Kim Dillivan – RE: Public Hearing: Heart View Minor Subdivision – 33 Sketch Plan Review & Variance

Chairman Fulkerson opened the public hearing.

Mr. Dillivan presented for approval the sketch plan application that Pete & Tanna DiPilla submitted on October 16, 2019 for the minor subdivision which will create five lots. The subdivision is located approximately .5 miles north of Powell city limits. DiPilla Lane borders on the north and County Road 8 borders to the west, located in a GR-P zone and located within one mile of a municipality and comments must be solicited and considered. Agency referrals have been met and no public comments have been received. Staff and Planning & Zoning recommend approval with the following conditions: easements as requested must be met and shown; Shoshone Irrigation must provide recommendations

for an irrigation distribution plan; subsurface evaluation for Lot 5 and submit groundwater depth and percolation result to the planning department; electricity and natural gas must be installed to lot line of proposed Lot 5; a statement has been provided by the City of Powell confirming their ability to supply sewer services to proposed Lots 2, 3 and 4; all the requests must be shown on the final plat; and the applicant shall otherwise comply with the standards of Park County.

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

Commissioner Tilden made a motion to approve the variance requesting the waive of utility requirements to Lot 5, Commissioner Thiel seconded, and motion carried.

RESOLUTION 2019-66

Commissioner Thiel made a motion to approve the sketch plan review as presented, Commissioner Livingston seconded, and motion carried, **RESOLUTION 2019-67**

Park County Planning & Zoning Planner II, Kim Dillivan – RE: Stewart Simple Subdivision Amended Plat - 70

Mr. Dillivan presented a partial vacation and amended plat for Robert and Maria Chandler. The address is 56 County Road 2CD and is adjusting boundary lines. No public hearing is required, and owners will need to record new deeds.

Commissioner Overfield made a motion to approve the Stuart Simple Subdivision amended plat as presented Commissioner Tilden seconded, and motion carried.

RESOLUTION 2019-68

Park County Planning & Zoning Planner II, Kim Dillivan – RE: Kallem Minor Subdivision Final Plat - 32

Mr. Dillivan presented the application from James and Leslie Kallem. The proposed subdivision is located 5.8 miles east of Powell on Lane 9. Lots 1 and 4 which have residences and Lane 9 addresses. Lots 2 and 3 are currently vacant land with minimal agricultural use. No public comments were received, and the plat committee identified only minor corrections.

Commissioner Tilden made a motion to approve the Kallem Minor Subdivision as presented, Commissioner Thiel seconded, and motion carried. **RESOLUTION 2019-69**

Brian Clarkson, TO Engineers – RE: Park County GIS Study Report

Mr. Clarkson presented information he gathered from the five departments who regularly use GIS. Mr. Clarkson had suggestions to save money by reducing the number of licenses as well as centralizing the county's data. The Commissioners will take this information under advisement and potentially make decisions in the future.

Park County Commissioners – RE: Review of the Park County Land Use Plan

Ms. Hill stated money has been set aside for this project but questioned whether we proceed now or wait for 2020 Census data and then go forward. After discussion Commissioner Livingston made a motion to postpone land use plan rewrite until after the April 2021 Census, Commissioner Thiel seconded, Commissioner Overfield questioned the timing of going out for proposals and Commissioner Livingston stated he feels that can still be done in January. Commissioner Tilden opposed, and motion carried.

Park County Chief Information Officer, Michael Conners – RE: Approve and Sign Contract for Park County Webpage

Mr. Conners gave a brief summary of upgrading the county website, six vendors submitted proposals. A committee met and reviewed the proposals and now have a recommendation to move forward with CivicPlus. The initial cost will be \$35,371.00 to set up the website and then a yearly cost of \$5,625 to maintain it for four years. It will take 16 to 28 weeks to reprogram and implement the new site. After discussion on where we might see savings, constituents being able to use their phone, and documents available on line. Commissioner Thiel made a motion to approve the RFP for CivicPlus and the four-year plan, Commissioner Livingston seconded, Commissioner Tilden questioned spending these dollars when we have financial difficulties. The motion carried 3-1 with Commissioner Tilden in opposition.

Park County Planning & Zoning Planner II, Kim Dillivan – RE: Hansen Simple Subdivision Amended Plat -15

Mr. Dillivan presented the application from James and Tabatha Hansen to approve an amended plat vacating approximately 3.2 acres of Lot 1 to a newly configured Lot 1A. The lot is in GR-P zoning and has an address of 1830 Lane 15H. No public comments were received and if approved new deeds will be required.

Commissioner Overfield made a motion to approve as presented, Commissioner Livingston seconded, and motion carried. **RESOLUTION 2019- 70**

Park County Planning & Zoning Planner II, Kim Dillivan – RE: Public Hearing: Psalms 2019, LLC Variance Request

Chairman Fulkerson opened the public hearing.

Mr. Colin Simpson represents Psalms 2019 LLC and withdrew the variance request after receiving the staff report with regards to the sage grouse executive order, DEQ requirements and Game & Fish concerns.

Commissioner Livingston made a motion to close the public hearing, Commissioner Overfield seconded, and motion carried.

Park County Commissioners – RE: Approve and Sign Final Worker’s Compensation - CEG (County Employer Group) Agreement & Resolution & Certification

Park County will be joining many counties in a Worker’s Compensation consortium that will save the county money. Commissioner Livingston made a motion to approve and allow the chair to sign, Commissioner Overfield seconded, and motion carried.

Park County Planning & Zoning Director, Joy Hill – RE: Public Hearing: Heinrich Residence Flood Plain 7-19

Chairman Fulkerson opened the public hearing.

Ms. Hill presented the staff report stating Ken Heinrich submitted a floodplain permit application on behalf of Triple KB Ranch LLC on November 21, 2019. The permit if approved would be good for one year and applies to only the residence with an attached garage, small wastewater system, utilities to serve the residence and fill required to complete the driveway.

Public comments were received from Mr. Willems and Mr. Kenrick. Public hearing notices and agency referrals were met. The Planning Director and County Engineer traveled to the site and viewed the area. Ms. Hill then went through the evaluation and analysis.

After discussion Chairman Fulkerson called for public comments, Glen Nalley made comment and was concerned he did not receive a notification letter informing him of this hearing. Ms. Hill stated they are only required to send notice to those within 660 ft of the property in question.

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

Commissioner Tilden made a motion to approve the permit with conditions as presented by staff, Commissioner Thiel seconded, and motion carried. **RESOLUTION 2019-71**

Park County Sheriff, Scott Steward – RE:

1. **Discuss Park County Search and Rescue Coordinator Wages** – Sheriff Steward discussed the former admin position in Homeland Security regarding funding and cooperation between SaR and Homeland Security. Mr. Steward requested the SaR position start at a Grade 21 Step 3 at \$24.43. Commissioner Tilden made a motion to approve the wage as requested, Commissioner Livingston seconded, and motion carried.
2. **Approve and Sign 2020 Town of Meeteetse and Park County Law Enforcement Services Agreement**
Commissioner Livingston made a motion to approve the Law Enforcement Services Agreement, Commissioner Thiel seconded, and motion carried.

Park County Commissioners Joe Tilden and Dossie Overfield – RE: Park County Budget Committee Proposal FFY 2020 Budget Cuts

Commissioner Tilden presented to the board the ideas and suggestions from the committee to help balance the upcoming budget with proposed cuts and possible ways to increase revenue. Many suggestions will only put a band aid on our shortfall. In looking

down the road Park County will need to come up with more revenue or begin looking at ways to cut services. The fifth penny has been discussed as this would be a way the county could generate more revenue without necessarily cutting services. More discussions will happen as the Commissioners and staff work through the FY 20/21 budget.

Park County Historic Preservation Board, Dakota Russell – RE: Approve and Chairman Sign Heart Mountain Interment Center

Mr. Russell presented the proposed pass-through grant application for state dollars in the amount of \$6,000 with an in-kind match on \$4,273.00 for a project to develop six panels that tell the story of the barracks at the Heart Mountain Interment Center site.

Commissioner Tilden made a motion to approve the application and allow chair to sign, Commissioner Overfield seconded, and motion carried.

Executive Session.

Commissioner Overfield made a motion to enter executive session pursuant to W.S. § 16-4-405 (a) (iii), Commissioner Livingston seconded, and motion carried.

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 Thiel made a motion to adjourn, Commissioner Livingston 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