

Park County Board of County Commissioners
Regular Meeting
Tuesday, July 6, 2021

Chairman Livingston called to order a regular meeting of the Board of County Commissioners of Park County, Wyoming, on Tuesday, July 6, 2021. Present were Vice Chairman, Dossie Overfield, Commissioners, Scott Mangold, Lloyd Thiel, Joe Tilden and Clerk Colleen Renner.

Commissioner Mangold led the audience in the Pledge of Allegiance.

Consent Items:

Approve-Minutes, Payroll and Vouchers

Commissioner Tilden made a motion to approve the following consent agenda items: minutes from June 14, 15, 22 and 30, bi-weekly payroll in the amount of \$594,380.92 and Elected payroll \$90,943.43, approve and allow Chairman to Sign Mutual Aid Agreement between Park County, Wyoming, and Town of Meeteetse, Wyoming; Sign Road Project Agreement between County of Park and the USDA, Forest Service, Shoshone National Park; Solid Waste Facility Permit Application Form; Northwest College Lease Agreement; and Annual Contribution Agreement for County/UWE Personnel, Commissioner Overfield seconded, the motion carried.

Park County Commissioners – RE: Discussion about Partnership between Park County/Nemont and NTIA Application to Provide Broadband

Richard Hood with Nemont, who provides broadband in the Clark Area discussed a possible partnership with the county. As the local provider Nemont is qualified to partner with Park County in responding to the notice of funding availability issued by the National Telecommunications and Information Administration for 100% grant awards that will fund installation of high-speed broadband to rural America. Clark qualifies, Nemont qualifies and Park County can apply as the lead entity in a partnership with Nemont. The application deadline is August 17th.

Commissioner Thiel contacted the supervisor in Warden Montana regarding the American Rescue Plan (ARP) funding and believes this is a different pot of money. After discussion Mr. Hood will check into the possibility of moving forward with the ARP dollars. Chairman Livingston stated this is a tight window and suggested Nemont circle back with us if they are interested in pursuing funding.

Powell Valley Healthcare EMS and Cody Regional Hospital EMS – RE: Request for Park County American Rescue Plan Funds

Tom Fitzimmons and Scott Bagnell representing the two EMS services in Park County which are both hospital based approached the commissioners about utilizing ARP funds to purchase two ambulances and build a garage facility for the Powell ambulances. Mr. Fitzimmons requested 13% of Park County's funds to build the much-needed space in Powell and add two new critical care ambulances.

After discussion Chairman Livingston recommends, they start the application process for the August 31st deadline.

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

Chairman Livingston opened the public hearing.

Mr. Dillivan presented the variance request for approval to conduct commercial events, i.e.: wedding receptions, farmers markets, private parties, law enforcement trainings, in an existing 10,000 sq. ft. riding arena now owned by James and Tamala Collins. The zoning is GR-P and is 36.98 acres located six miles southwest of Ralston. Neighboring land uses are residential and agricultural.

The residence is located about 500 ft. from the arena. Legal notices and agency referrals were all met, and three written public comments were received, all opposed. The Wyoming State Fire Marshal will require a plan review to be submitted.

Mr. Dillivan read the four variance approval standards and staff recommends based on the evidence presented that the board deny this request.

After discussion with staff, Chairman Livingston called for public comments. Attorney Lindsey Crandall with Burg Simpson representing the applicants presented first. Chairman Livingston stated time was running short and Commissioner Overfield made a motion to continue the public hearing at 1:15 p.m. this afternoon Commissioner Tilden seconded, and motion carried.

Park County Planning & Zoning Planner II, Kim Dillivan – RE: White Simple Subdivision-270 Final Plat Review

Mr. Dillivan presented the final plat to the Board, the proposed subdivision is located 6.5 miles southwest of Cody on the Lower Southfork and is in GR-5 zoning creating two lots, one 14.96-acres and one 5.02 acres. This does not require a public hearing and no public comments were received.

Commissioner Thiel made a motion to approve the White Simple Subdivision-270 as presented, Commission Overfield seconded, and motion carried. **RESOLUTION 2021-39.**

Park County Commissioners – RE: Final Decision on the F. Sowerwine LUC Appeal to the Park County Planning & Zoning Director, Joy Hill

Ms. Hill shared with the Board the discussions she has had Mr. Sowerwine regarding the Land Use Change (LUC) information that is in place on the property and the issue of a family exemption which has already been addressed. Three additional questions will need to be answered. First, his LUC was originally for tourist-based business and he would like it changed to commercial/retail general business. Second, can the land outside LUC which is 2.1 acres acquired from WYDOT be added into that LUC, and the third questions is if the land is subdivided would each parcel be allowed into the LUC.

After consultation with staff and clarification a motion was made on each of the three questions. Commissioner Overfield made a motion deny removing LUC94 and leave it in effect as originally granted, Commissioner Thiel seconded, and motion carried.

Commissioner Tilden made a motion to deny additional land to be added to the LUC, Commissioner Thiel seconded, motion carried.

Commissioner Tilden made a motion that if the property is subdivided the new parcels will not carry the LUC. Only the original parcel that currently has the storage unit on it would carry the original LUC, Commissioner Overfield seconded, and motion carried. **RESOLUTION 2021-40**

Park County Library Director Karen Horner – RE: Discussion on Changes to the Grade and Step Wage for Park County Library Personnel

Ms. Horner presented changes to the budget showing changes if the library were to adopt the counties Grade and Step plan. The Commissioners discussed a 50 cent COLA and a raise of 2 steps per employee also the library employees will be paying into Wyoming Retirement .5%. Ms. Horner stated the library will be adopting the county pay scale to be more consistent. Commissioner Overfield made a motion to allow for the 50-cent COLA increase and the employees will pay .5% of retirement, Commissioner Mangold seconded, after discussion Commissioner Overfield amended her motion to include the 2 step value to the Library budget also, Commissioner Mangold agreed to the amendment, and motion carried.

Park County Commissioners – RE: Clarification on Resolution 2021-38 Establishing Open Fire Restrictions and Fireworks Restrictions for Park County

Mr. Parker, Fire Warden felt the need to clarify controlled agricultural burns that still need to be reported to the Sheriff's department. Commissioner Thiel questioned the possibility of exemptions and Mr. Parker stated it would depend on the request and event and the timing of the commission meetings.

Park County Clerk, Colleen Renner – RE: Review of Park County FY2021-22 Year

Clerk Renner has reviewed the budget and feels it is ready for final consideration. She noted that \$2,000 was added back into Homeland Security and brief discussion regarding a new vehicle for Assessor was denied at this time. Commissioner Thiel questioned the final PILT numbers and the process was again reviewed.

Commissioner Overfield questioned the Veterans exemption under revenue and whether the county will have to make up the difference, Ms. Poley will research this for Monday evening.

Executive Session.

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

Commissioner Overfield moved to exit from executive session, Commissioner Tilden seconded, and the motion carried. Commissioner Tilden made a motion to adopt the proposal as discussed by Attorney Skoric, Commissioner Thiel seconded, and motion carried.

Collins Variance Request continued –

Ms. Crandall continued with her comments, they contacted P&Z with questions trying to understand what the property could be used for and presented four exhibits. Ms. Crandall stated there are not enough places where events can be held for fundraisers, time frame on upcoming events, etc.

Mr. Dillivan read comments into the record from Dave & Karen Burk (opposed) and Rita Mainini (in favor of), Patricia Winlow, Charlie Winlow, Phyllis Preator made public comments. The Board discussed whether the variance would go with the land or just the building, need of special use permit for events, the small wastewater system on the property and the road access.

Mr. Collins stated he explored options regarding what it would look like as a dude ranch, overnight stays, but that is not what they would like to do, they would prefer to do weddings, wedding receptions, law enforcement trainings and talked about community events. He sees the issue being mostly due to the size of the structure. If a firewall was placed in the building would we even be here discussing this? Mr. Collins related that this has been a very difficult process.

At this time Chairman called for further public comments, there being none, Commissioner Thiel made a motion to close the public hearing, Commissioner Overfield seconded, and motion carried.

Ms. Hill discussed how to proceed and stated that trying to fit a major commercial business use into the GR-P zoning district is difficult because it is not allowed.

Commissioner Thiel moved to approve the variance request with the condition that it is for the current owner only and they move forward with an SUP application, Commissioner Mangold seconded for further discussion. Commissioner Mangold states going back to the resolution from 2002 offers a stipulation to go forth with an SUP however there are many variables to be considered. Chairman Livingston stated the resolution does not point out what kind of an SUP will be required. Commissioner Overfield stated that there are four conditions that must be followed. Commissioner Thiel felt that all those conditions

can be argued. Commissioner Tilden stated that the issue at hand is to approve the variance and consider what the neighborhood is wanting, and it is residential at this time and the residents in this area are not okay with a commercial business in their neighborhood.

Chairman Livingston called for the question, Commissioner Tilden opposed, and motion carried. **RESOLUTION 2021-41**

Adjourn.

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

Lee Livingston, Chairman

Dossie Overfield, Vice Chairman

Scott Mangold, Commissioner

Lloyd Thiel, Commissioner

Joe Tilden, Commissioner

Attest:

Colleen Renner, County Clerk