

Park County Board of County Commissioners
Regular Meeting
Tuesday, October 19, 2021

Chairman Livingston called to order a regular meeting of the Board of County Commissioners of Park County, Wyoming, on Tuesday, October 19, 2021. Present were Vice Chairman, Dossie Overfield, Commissioners, Scott Mangold, Lloyd Thiel, Joe Tilden and First Deputy Clerk Hans Odde.

Commissioner Mangold led the audience in the Pledge of Allegiance.

Executive Session: pursuant to W.S. § 16-4-405 (a) (ii)

Commissioner Overfield made a motion to enter into executive session. Commissioner Mangold seconded and the motion carried.

Commissioner Overfield made a motion to exit from executive session. Commissioner Thiel seconded and the motion carried. No decisions were made in this executive session.

Commissioner Overfield made a motion to act on the item as discussed in executive session. Commissioner Thiel seconded and the motion carried.

Consent Items:

Approve-Minutes, Payroll and Vouchers

Commissioner Thiel made a motion to approve the following consent agenda items; Minutes: 10/12/21, Payroll, Vouchers, Monthly Earnings & Collections Statements from: Clerk, Clerk of District Court & Sheriff; Approve and Allow the Chairman to Sign Qtr. 4 FFY 21 Temporary Assistance to Needy Families/Community Partnership Initiative (TANF/CPI) Report & Vouchers. Commissioner Overfield seconded and the motion carried.

Payee	Amount
360 OFFICE SOLUTIONS	\$698.73
A & I DISTRIBUTORS	\$2,202.23
ACKER ELECTRIC, INC.	\$413.50
ARCSEARCH CORPORATION	\$18,596.00
AT&T MOBILITY	\$445.03
ATCO INTERNATIONAL	\$676.58
B & B FLEET SERVICE	\$144.00
BAILEY ENTERPRISES, INC.	\$219.02
BAILEY ENTERPRISES, INC.	\$80.26
BAILEY ENTERPRISES, INC.	\$6,315.07
BEAR CO., INC.	\$1,834.71
BIG HORN CO-OP MARKETING ASSN.	\$2,104.61
BIG HORN COUNTY CORONER	\$1,500.00
BIG HORN RADIO NETWORK	\$1,778.88
BIG HORN WHOLESALE, INC.	\$1,958.58
BIG VALLEY BEARING & SUPPLY, INC.	\$83.03
BLACK HILLS ENERGY	\$1,099.48
BLATT, TIMOTHY J.	\$400.00
BLOEDORN LUMBER - CODY	\$29.97
BLOEDORN LUMBER - POWELL	\$29.48
BOB BARKER COMPANY	\$1,701.00
BOBCAT OF THE BIG HORN BASIN, INC.	\$726.49
BUILDERS FIRST SOURCE	\$41.94
CARING FOR POWELL ANIMALS	\$750.00
CAROLINA SOFTWARE	\$700.00
CARQUEST AUTO PARTS - #064250	\$587.66
CDW GOVERNMENT, INC.	\$52.11
CENTURYLINK BUSINES SERVICES	\$18.09
CHARTER COMMUNICATIONS	\$303.65
CODY ACE HARDWARE	\$706.04
CODY COUNCIL ON AGING	\$11,750.00
CODY ENTERPRISE	\$174.81
CODY REGIONAL HEALTH	\$110.00
CODY WINNELSON CO.	\$42.21
CODY, CITY OF	\$26,301.22
CORRECTIONAL HEALTHCARE COMPANIES, INC.	\$21,618.97
COUNTY CLERKS ASSOCIATION OF WYOMING	\$300.00

CRISIS INTERVENTION SERVICES	\$2,500.00
CROFT, KIMBALL	\$26.88
CRUM ELECTRIC SUPPLY CO.	\$37.19
CUSTOM DELIVERY SERVICE, INC.	\$186.22
DALLMAN, KIERSTIN	\$60.00
DE HAAN ELECTRONICS	\$2,140.73
DENNEY, EMILY	\$70.77
DENNY MENHOLT CHEVROLET BUICK GMC	\$146.40
DUSTBUSTERS, INC.	\$88,405.10
EICHELE, LARRY	\$26.88
FASTENAL	\$1,057.60
FLOYD'S TRUCK CENTER	\$21.90
FORWARD CODY WYOMING, INC.	\$3,500.00
GALLS, LLC	\$850.10
GARLAND LIGHT & POWER CO.	\$905.85
GOODYEAR PRINTING	\$280.75
GRAINGER	\$752.69
GUERTIN, ANDREW	\$43.83
HATFIELD, JACK R. II	\$26.88
JOHN DEERE FINANCIAL	\$50.16
K-B COMMERCIAL PRODUCTS	\$3,155.56
KEELE SANITATION	\$3,218.82
KENCO SECURITY AND TECHNOLOGY	\$559.55
KINCHELOE PLUMBING & HEATING	\$245.00
KUCK, PAULA	\$60.00
LOMCO, INC.	\$9,945.00
MAJESTIC LUBE, INC.	\$70.20
MANNAHOUSE FOOD PANTRY	\$2,000.00
McINTOSH OIL, INC.	\$4,622.98
MEETEETSE SENIOR CENTER	\$2,500.00
MEETEETSE VISITOR CENTER	\$1,500.00
MEETEETSE, TOWN OF	\$249.20
METTLER-TOLEDO, LLC.	\$3,384.49
MICKELSON, JOSEPH D	\$291.20
MONTANA-DAKOTA UTILITIES CO.	\$762.63
MORRIS, SANDIE	\$29.90
MOTOR PARTS, INC.	\$1,876.45
MURDOCH OIL, INC.	\$28,252.88
MURDOCH'S RANCH & HOME POWELL	\$172.71
NEWMAN TRAFFIC SIGNS, INC	\$11,079.08
NORCO, INC.	\$49.20
OFFICE SHOP, THE	\$844.91
OFFICIAL COURT RECORD	\$1,196.00
O'REILLY AUTO PARTS - POWELL	\$245.96
PARK CO COURT SUPERVISED TREATMENT PROG	\$3,000.00
PARK COUNTY 4-H COUNCIL	\$1,500.00
PARK COUNTY ANIMAL SHELTER	\$2,250.00
PENWELL, STEVE	\$37.12
POWELL ACE HARDWARE, LLC	\$19.98
POWELL ECONOMIC PARTNERSHIP, INC.	\$3,000.00
POWELL SENIOR CITIZENS AGO-GO, INC	\$11,750.00
POWELL TRIBUNE, INC.	\$1,034.96
POWELL VALLEY RECYCLING	\$625.00
POWELL, CITY OF	\$5,944.57
POWER, TIM	\$18.47
PRODUCTION MACHINE COMPANY	\$5,320.19
QED ENVIRONMENTAL SYSTEMS	\$4,980.35
QUALITY PROPANE SERVICE, INC.	\$24.50
RIDGELINE AUTO REPAIR	\$698.81
ROCKY MOUNTAIN INFO NETWORK	\$25.00
ROCKY MOUNTAIN POWER	\$525.15
ROCKY MOUNTAIN WASH, LLC	\$72.00
S&P BRAKE SUPPLY AND DRIVELINE SERVICES	\$312.64
SABER PEST CONTROL	\$120.00
SANOFI PASTEUR, INC	\$16,862.08
SCHLATTMANN LAW OFFICE	\$400.00
SELBYS, INC.	\$89.92
SHERIDAN CO. CLERK OF CIRCUIT COURT	\$2.00
SNOW CREST CHEMICALS	\$579.00
SOLID WASTE ASSOC. OF NORTH AMERICA	\$223.00
STREET, DARCY	\$27.96
SUMMERS, JOSH	\$36.12

SYSKO FOOD SERVICES OF MONTANA	\$1,659.44
TIRE-RAMA BLGS INTERSTATE	\$11,429.00
T-O ENGINEERS	\$722.80
TRACTOR & EQUIPMENT CO	\$1,315.46
TRIPLE L SALES	\$446.87
TYLER BUSINESS FORMS	\$920.79
VISA - #0037 - B. POLEY	\$168.46
VISA - #0045 - B. SKORIC	\$154.00
VISA - #0052 - P. MEYER	\$1,168.88
VISA - #0078 - L. LIVINGSTON	\$623.32
VISA - #0086 - W.E. CRAMPTON	\$382.91
VISA - #0235 - B. EDWARDS	\$2,828.38
VISA - #0250 - C. RENNER	\$2,823.00
VISA - #0359 - S. STEWARD	\$72.48
VISA - #0367 - J. HILL	\$354.34
VISA - #3972 - J. TATUM	\$210.74
VISA - #4079 - S. STEWARD	\$1,898.45
VISA - #4087 - M. CONNERS	\$958.96
VISA - #4111 - S. STEWARD	\$1,262.78
VISA - #5258 - M. GARZA	\$295.81
VISION WEST, INC.	\$1,649.00
WEBSTER, II, C.E., ATTORNEY LLC	\$2,640.00
WHITLOCK MOTORS	\$779.72
WILLIAMS & SONS, LLC	\$180.00
WPCI CONSULTANTS, INC.	\$117.00
WYOMING BEHAVIORAL INSTITUTE	\$5,278.00
WYOMING DEPARTMENT OF EMPLOYMENT	\$150.24
WYOMING DEPARTMENT OF HEALTH	\$255.68
WYOMING DEPARTMENT OF HEALTH/PBL HLTH LB	\$24.00
WYOMING DEPT OF TRANS - MOTOR VEHICLES	\$5.00
WYOMING LAW ENFORCEMENT ACADEMY	\$3,184.80
WYOMING SECRETARY OF STATE	\$60.00
WYOMING STATE PUBLIC DEFENDER	\$400.00
WYOMING WATER WORKS	\$298.00
YATES, LORI	\$60.00
YELLOWSTONE BEHAVIORAL HEALTH	\$10,000.00
YOUTH CLUBS OF PARK COUNTY	\$2,250.00
TOTAL	<u>\$400,402.13</u>

Park County Planning & Zoning Planner II, Kim Dillivan RE: Public Hearing: Amended Plat Sage Creek Subdivision Lot 1

Chairman Livingston opened a public hearing and Mr. Dillivan presented the amended plat for applicants Ryan and Katie Roemmich and their Sage Creek Subdivision of Lot 1 which reconfigures Lot 1 to create lot 101 (20.33 acres) by way of a boundary line adjustment between Lot 1 and an un-platted portion of property immediately to the west. This action will result in the vacation of Lot 1 (10.03 acres). Lot 101 will continue to be for residential use. All agency referrals have been met and no public comment has been received. The Planning Director recommends approval of the partial vacation and amended plat with the conditions listed in the resolution.

Commissioner Tilden made a motion to close the public hearing and Commissioner Thiel seconded. Motion carried.

Commissioner Tilden made a motion to approve the Amended Plat Sage Creek Subdivision Lot 1. Commissioner Thiel seconded and the motion carried. **Resolution 2021-72**

Park County Planning & Zoning Planner II, Kim Dillivan RE: Review Subdivision Improvements Agreement: Pheasant Ridge Minor Subdivision and Final Plat Pheasant Ridge Minor Subdivision

Mr. Dillivan presented the final plat for a five-lot subdivision consisting of four 3.36-acre lots and one 15.41-acre lot for residential use. Approval of this subdivision will create a remainder parcel of 43.61 acres. The applicant, Seaton Smith also requests Board approval of the Subdivision Improvements Agreement that addresses extending electric utilities to proposed Lots 3 and 4. All agency referrals have been met and no public comment has been received. The Planning Staff recommends approval of the final plat and Subdivision Improvements Agreement and that each one be acted upon with a separate motion.

Commissioner Mangold made a motion to approve the Subdivision Improvements Agreement as presented. Commissioner Overfield seconded and the motion carried.

Commissioner Mangold made a motion to approve the Final Plat as presented. Commissioner Overfield seconded and the motion carried.

After discussion about the proposed resolution referencing both the Subdivision Improvements Agreement and the Final Plat Commissioner Mangold withdrew his motion and the second concurred. Motion withdrawn.

Commissioner Mangold made a motion to approve the resolution that includes the Subdivision Improvements Agreement and the Final Plat for the Pheasant Ridge Minor Subdivision. Commissioner Overfield seconded and the motion carried. **Resolution 2021-73**

Park County Planning & Zoning Planner II, Kim Dillivan Re: Public Hearing: Riverside Minor Subdivision-60 Sketch Plan Review

Chairman Livingston opened a public hearing for the Riverside Minor Subdivision and Mr. Dillivan presented the request from Arnold & Vicki Mollett to approve a five-lot subdivision consisting of five 4.0-acre lots, all for residential use. Creation of this subdivision in the GR-P zone will result in a remainder parcel of 45.62 acres. Agency referrals have been met, no public comments have been received and staff recommends approval with conditions.

Commissioner Overfield made a motion to close the public hearing and Commissioner Tilden seconded. Motion carried.

Commissioner Thiel made a motion to approve the Riverside Minor Subdivision-60 Sketch Plan subject to the listed conditions and adding the Right to Farm Act language to the final plat. Commissioner Overfield seconded and the motion carried. **Resolution 2021-74**

Park County Commissioners Re: American Rescue Funds (ARF) – Meeteetse Water Project

Mayor Bill Yetter and Town Clerk Angela Johnson answered questions from the Commissioners regarding their request for \$645,000 of funding from ARF to complete the town's water project. The Commissioners emphasized that the funding cannot be used as matching funds for the project however ARF funds may be used to purchase specific items such as pipe or other physical materials. In further discussion the Commissioners wanted to know if the Town could get by with \$495,000 due to the number of other projects being considered. Mayor Yetter and Ms. Johnson indicated that they understood the restrictions and felt that the project would still go forward with the reduced figure.

Commissioner Thiel made a motion to approve the request for American Rescue Funds from the Town of Meeteetse up to \$500,000 for the purchase of tangible materials. Commissioner Tilden seconded and the motion carried.

Park County Engineer, Brian Edwards and Travis Conklin of Engineering Associates Re: Discussion of Options and Cost Estimates for Projected New Sewer Lagoon

Mr. Edwards and Mr. Conklin explained that this is a project of critical importance due to the present Park County sewer lagoon approaching the end of its useful life. Erik Wachob from Engineering Associates presented different options and cost estimates ranging from \$2.7mm to \$4.3mm to either upgrade the present county lagoon or partner with the City of Cody to improve their ability to accept the rural septage from local haulers. Cody Public Works Director Phillip Bowman expressed concerns with both the quantity and quality of the septage that could be brought in and noted there will need to be improved monitoring to see that heavy contaminants are not dumped. The Commissioners thanked the presenters and directed Mr. Edwards to continue working toward a viable solution with the City of Cody.

Park County Engineer, Brian Edwards and Erik Wachob of Engineering Associates Re: Presentation of Draft Preliminary Report – TAP Project-- Powell Area Pathways Planning

Mr. Edwards and Mr. Wachob reported that a community survey regarding pedestrian usage of county roads just north of Powell yielded 300 responses. They noted that this is a remarkable rate of return and that citizens responding have a very high level

of concern for walkers, bikers and joggers on these roads because there is little to no shoulder for them to stay out of the lane of vehicular travel.

The County is proposing to apply for a Transportation Alternatives Program (TAP) grant to help fund a project to build new pathways and provide the necessary separation between motorist and pedestrians along the roads identified in the draft report. The maximum award amount is up to \$500,000 and there is a cost share requirement of 80/20. The county will have to provide a statement of intent to apply by April 15, 2022 with the application due July 15, 2022. If awarded, design and permitting could start in 2023 and construction in 2024. The Commissioners thanked the presenters and asked them to continue on with the proposed project.

Executive Session: pursuant to W.S. § 16-4-405 (ix)

Commissioner Thiel made a motion to enter into executive session. Commissioner Mangold seconded and the motion carried.

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

Discussion of Option for Exemptions on the New Mineral Bill, Treasurer Barb Poley, Assessor Pat Meyer and County Attorney Bryan Skoric

Treasurer Poley discussed the Mineral Bill that was passed by the Legislature in 2020 and will be going into effect on January 1, 2022. The bill addresses the payment of ad valorem taxes on mineral production and will change the billing process currently in place as well as how and where the mineral companies will report monthly production to the State of Wyoming. Treasurer Poley asked the Commissioners if they wanted to exempt companies that have requested to stay on the current payment plan and if so to make a motion to reflect that decision. The County has had two companies of seventeen that are eligible, request an exemption. Commissioner Thiel questioned how much of a burden this is on the companies and remarked that he doesn't see any advantage to the company as they will still have to pay the taxes over time. Attorney Skoric doesn't see any advantage to the program either.

Commissioner Overfield made a motion to deny exemptions as presented by Treasurer Poley. Commissioner Thiel seconded and the motion carried.

Park County Commissioners Re: Continued Discussion of Buck Creek Estates Major Subdivision Application

Chairman Livingston provided the background and recent history of the Buck Creek Estates Major Subdivision application process. The Chairman stated that Developer, Brian Shumard had been asked to complete and provide results of a hydrological study of the proposed development area to prove that there would be sufficient ground water to supply all of the proposed lots. Mr. Shumard drilled two wells and provided that well data to the County Planning Department and the data was sent on to Karl Toboga at the office of Wyoming State Geological Survey for analysis. Mr. Taboga stated in an email to Planning Director Hill that the information provided by Mr. Shumard was not sufficient to determine if the Willwood aquifer could provide sufficient groundwater to the subdivision while being protective of wells on adjacent properties. Mr. Shumard's attorney Joey Darah addressed the Commissioners and stated that his client has met all the standards as written in the Park County Development Regulations and that the Commissioners should grant approval of Mr. Shumard's application today. The Chairman noted again that the water data is not sufficient and if a vote was taken today and it failed Mr. Shumard would have to wait one entire year to resubmit his application and it would be in his best interest to continue to work through the issues. Mr. Darah and Mr. Shumard asked the Commissioners to be very specific about what standards and guidelines need to be met to obtain approval for the Buck Creek Estates application. All agreed to work together to provide the needed information. No decision was made and discussion will continue as further information is provided.

Adjourn

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

Lee Livingston, Chairman

Scott Mangold, Commissioner

Joe Tilden, Commissioner

Dossie Overfield, Vice Chairman

Lloyd Thiel, Commissioner

Attest:

Colleen Renner, County Clerk