

**Park County Board of County Commissioners**  
**Regular Meeting**  
Tuesday, January 18, 2022

Chairman Overfield called to order a regular meeting of the Board of County Commissioners of Park County, Wyoming, on Tuesday, January 18, 2022. Present were Vice Chairman, Scott Mangold, Commissioners Lee Livingston, Lloyd Thiel, Joe Tilden and Clerk Colleen Renner.

Brian Edwards 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: minutes from January 4, 2022; bi-weekly payroll in the amount of \$469,365.72 and Elected payroll of \$91,638.86; vouchers; monthly earnings and collection statements for the Clerk, Clerk of District Court, and Sheriff; approve and sign FFY2022 Q1 TANF/CPI Report & Vouchers and Lease for Collection Professionals Inc. Commissioner Tilden seconded, and the motion carried.

Payee	Amount
360 OFFICE SOLUTIONS	\$2,672.81
AT&T MOBILITY	\$394.92
BAILEY ENTERPRISES, INC.	\$905.71
BAILEY ENTERPRISES, INC.	\$6,719.68
BEAR CO., INC.	\$1,826.07
BEARTOOTH ELECTRIC COOP	\$60.00
BENNETT, M.D., THOMAS L.	\$2,223.20
BIG HORN COUNTY CORONER	\$500.00
BIG HORN RADIO NETWORK	\$3,050.00
BIG HORN RURAL ELECTRIC COMPANY	\$367.51
BIG HORN WHOLESALE, INC.	\$11,260.35
BIG VALLEY BEARING & SUPPLY, INC.	\$48.40
BLACK HILLS ENERGY	\$11,982.27
BLATT, TIMOTHY J.	\$1,275.00
BLOEDORN LUMBER - CODY	\$103.04
BOB BARKER COMPANY	\$597.03
BOMGAARS	\$90.82
BOONE'S MACHINE SHOP	\$7,037.96
BUILDERS FIRST SOURCE	\$350.66
CARING FOR POWELL ANIMALS	\$750.00
CAROLINA SOFTWARE	\$700.00
CARQUEST AUTO PARTS - #064250	\$629.87
CBL SALT LAKE CITY	\$186.70
CDW GOVERNMENT, INC.	\$136.20
CENTURYLINK	\$2,667.51
CENTURYLINK BUSINES SERVICES	\$20.07
CHARTER COMMUNICATIONS	\$284.64
CHRISTIE, LOGAN	\$145.60
CODY ACE HARDWARE	\$1,098.63
CODY COUNCIL ON AGING	\$11,750.00
CODY ENTERPRISE	\$6,322.17
CODY WINNELSON CO.	\$1,191.31
CODY, CITY OF	\$25,309.48
CONSOLIDATED ELECTRICAL DISTRIBUTORS	\$85.81
CORRECTIONAL HEALTHCARE COMPANIES, INC.	\$21,618.97
COULTER CAR CARE CENTER	\$291.88
CRISIS INTERVENTION SERVICES	\$2,500.00
CRUM ELECTRIC SUPPLY CO.	\$283.90
D&G ELECTRIC, LLC	\$16,310.52
DEFENSIVE EDGE TRAINING & CONSULTING	\$900.00
DELUXE FOR BUSINESS	\$1,095.87

DENNY MENHOLT CHEVROLET BUICK GMC	\$160.95
DOT FHWA	\$195,000.00
EICHELE, LARRY	\$87.36
FLOYD'S TRUCK CENTER	\$14,701.93
FORWARD CODY WYOMING, INC.	\$3,500.00
GARLAND LIGHT & POWER CO.	\$1,497.43
GRAINGER	\$525.24
GUERTIN, ANDREW	\$97.01
HARRIS TRUCKING & CONST., INC.	\$1,576.37
HATFIELD, JACK R. II	\$29.12
HOLDER, BOBBIE JO	\$720.00
HONNEN EQUIPMENT CO.	\$28,813.58
HUMPHRIES-WADSWORTH, PhD, TERRESA M.	\$562.50
I. SPIEWAK & SONS, INC	\$259.90
INTERSTATE BATTERIES	\$349.90
INTERSTATE TIRE SERV. INC	\$80.00
KEELE SANITATION	\$1,818.26
KENCO SECURITY AND TECHNOLOGY	\$429.55
KINCHELOE PLUMBING & HEATING	\$378.00
KOLACNY, DENISE	\$51.45
KPOW-AM	\$136.50
LABUDA AND WHITE TRIAL ATTORNEYS, LLC	\$960.00
LEON UNIFORM COMPANY, INC.	\$160.00
MAJESTIC LUBE, INC.	\$53.50
MANNAHOUSE FOOD PANTRY	\$2,000.00
MASTER'S TOUCH, LLC	\$580.64
MEETEETSE SENIOR CENTER	\$2,500.00
MEETEETSE VISITOR CENTER	\$1,500.00
MEETEETSE, TOWN OF	\$249.20
MEYER, PAT	\$386.52
MICKELSON, JOSEPH D	\$320.32
MILE HIGH SHOOTING ACCESSORIES, LLC	\$1,526.50
MILES, SARAH N,	\$800.00
MONTANA TIRE DISTRIBUTORS INC.	\$2,776.90
MONTANA-DAKOTA UTILITIES CO.	\$4,448.20
MOTOR PARTS, INC.	\$123.61
MURDOCH OIL, INC.	\$1,627.00
MURDOCH'S RANCH & HOME POWELL	\$193.27
NAPA AUTO PARTS	\$102.94
NATRONA COUNTY LEGAL DEPARTMENT	\$10,580.00
NELSON, DEBORAH P.	\$28.08
NEMONT	\$51.26
NEWEGG BUSINESS, INC.	\$75.50
NORCO, INC.	\$50.84
NORTHWEST RURAL WATER DISTRICT	\$105.40
OFFICE SHOP, THE	\$1,229.30
O'REILLY AUTO PARTS - POWELL	\$102.78
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	\$37.07
PILCH ENGINEERING INC., PC	\$15,012.00
POWELL ACE HARDWARE, LLC	\$159.11
POWELL ECONOMIC PARTNERSHIP, INC.	\$3,000.00
POWELL SENIOR CITIZENS AGO-GO, INC	\$11,750.00
POWELL TRIBUNE, INC.	\$9,531.54
POWELL VALLEY RECYCLING	\$625.00
POWELL, CITY OF	\$7,377.21
PRODUCTION MACHINE COMPANY	\$232.22
QUALITY PROPANE SERVICE, INC.	\$184.38
QUILL CORPORATION	\$759.98
ROCKY MOUNTAIN POWER	\$1,189.30
ROCKY MOUNTAIN WASH, LLC	\$52.00
ROVENNA SIGNS & DESIGN	\$95.30
SABER PEST CONTROL	\$150.00
SAUCEDA, DAVE	\$252.96
SCHLATTMANN LAW OFFICE	\$930.00

SHERWIN-WILLIAMS STORE - CODY	\$117.66
SUMMERS, JOSH	\$59.06
SUN RIDGE SYSTEMS, INC.	\$27,031.00
SWING TRUCKING INC.	\$2,235.00
SYSCO FOOD SERVICES OF MONTANA	\$1,196.94
THOMAS, CATHERINE	\$67.98
TITAN MACHINERY	\$1,993.38
TRACTOR & EQUIPMENT CO	\$201.77
TRIPLE L SUPPLY	\$10.42
UNIVERSITY OF WY - ADMIN BUSINESS OFFICE	\$5,254.50
UPS STORE, THE	\$84.24
UW EXTENSION	\$119.31
VELOCITY TECH SOLUTIONS INC.	\$63.99
VILOS, BRANDEN S., ATTORNEY AT LAW, PC	\$1,345.00
VISA - #0045 - B. SKORIC	\$176.00
VISA - #0052 - P. MEYER	\$433.53
VISA - #0086 - W.E. CRAMPTON	\$445.89
VISA - #0235 - B. EDWARDS	\$95.00
VISA - #0250 - C. RENNER	\$218.00
VISA - #0276 - T. POWER	\$15.00
VISA - #0359 - S. STEWARD	\$293.10
VISA - #0367 - J. HILL	\$38.24
VISA - #4079 - S. STEWARD	\$2,004.71
VISA - #4087 - M. CONNERS	\$200.10
VISA - #4103 - S. STEWARD	\$600.23
VISA - #4111 - S. STEWARD	\$835.77
WEBSTER, II, C.E., ATTORNEY LLC	\$980.00
WOODWARD TRACTOR & RENTAL, INC	\$325.16
WYOMING CLERK OF DIST COURT ASSOC	\$150.00
WYOMING DEPARTMENT OF EMPLOYMENT	\$157.69
WYOMING DEPARTMENT OF HEALTH	\$424.32
WYOMING DEPT OF AGRICULTURE*	\$80.00
WYOMING DEPT OF TRANS - ACCOUNTING	\$1,660.56
WYOMING INFORMATION TECHNOLOGY DIV	\$78.30
WYOMING PRECAST PRODUCTS	\$26,172.88
WYOMING SECRETARY OF STATE	\$60.00
WYOMING STATE PUBLIC DEFENDER	\$400.00
WYOMING TAXPAYERS ASSOCIATION	\$195.00
WYOMING TECHNOLOGY TRANSFER CENTER	\$1,710.00
WYOMING WATER WORKS	\$269.00
YELLOWSTONE BEHAVIORAL HEALTH	\$10,000.00
YOUTH CLUBS OF PARK COUNTY	\$2,250.00
<b>TOTAL</b>	<b><u><u>\$577,188.17</u></u></b>

**Brian Edwards, Public Works Department – RE: Review and consider vacation of public road easements along Castle Rock Road**

Mr. Edwards explained the history and requirements to vacate the remaining public road easements associated with Castle rock Road.

If approved an access of 60 ft for utility is reserved for landowners that currently rely on Castle Rock Road for ingress and egress to their respective private property. Access is also reserved to emergency services vehicles, Castle Rock Ditch Company, utility service providers, etc. Maintenance and improvements of Castle Rock Road shall not be the responsibility of Park County and shall carry with described land parcels and current landowners, their heirs and successors.

After discussion, Commissioner Tilden made a motion to approve, Commissioner Livingston seconded, and motion carried. **RESOLUTION 2022-05**

**Brian Edwards, Public Works Department – RE: Open bids for the Powell Landfill Weigh Scale Replacement Project**

Mr. Edwards stated the Clerk's office received one bid from Two Sisters Contracting, Cody, whose bid is \$125,362.26.

The foundation is failing, this project needs to be done soon. The prep work is being done by the landfill with materials being brought in and a crane will be needed to place everything. Mr. Edwards will review and make recommendation on February 1.

#### **Bryan Skoric – Special Prosecution Request**

Attorney Skoric requested to amend the agenda to consider Special Prosecution – conflict CR 2020011 to have Sheridan County Attorney's office handle this case, Commissioner Livingston made a motion to amend the agenda, Commissioner Mangold seconded, motion carried.

Commissioner Livingston made a motion to approve the resolution as presented, Commissioner Tilden seconded, motion carried. **RESOLUTION 2202-06**

#### **Planning & Zoning – RE: Public Hearing: Emerald MS-62 Sketch Plan**

Chairman Overfield opened the public hearing.

Ms. Hill and Ms. Umphlett presented the sketch plan to the board. A minor subdivision application was received from Nathan and Brittany Robertson on October 8, 2021 requesting approval of a three-lot subdivision consisting of one 3.71-acre lot and two 2.0-acre lots all for residential use. The zoning district is GR-P and agency referrals were met and no public comments have been received.

The applicants shall provide easements as requested, appropriate Subdivision Improvements Agreement, proposed water wells on these lots shall be permitted by the Wyoming State Engineers office prior to installation, a Homeowners Association Agreement for irrigation facilities, notice of Wyoming Right to Farm and development regulations requirements must be met on final plat.

Chairman Overfield called for public comments. Mr. Robertson has consulted with a licensed engineer who stated water is at 325 ft. but that cost to drill is significant so cisterns may will be used.

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

Commissioner Thiel moved to approve with staff condition and adding a number 7 that domestic water may not be available by private wells and cisterns may be required, Commissioner Livingston seconded, motion carried. **RESOLUTION 2022-07**

#### **Planning & Zoning – RE: Public Hearing: Tri-Star Cabins SUP-221**

Chairman Overfield opened the public hearing.

Ms. Umphlett and Ms. Cramer presented the special use permit submitted by Herman Stutzman for a business building small cabins, greenhouse and storage sheds which will operate in an existing 3,840 sq. ft. shop building. The classification is Cottage Industry and is allowed in GR-P zoning. The property is located 5.25 miles southeast of Powell, and currently has a single-family residence, barn and shop building intended to serve the proposed use. Neighboring land is primarily agriculture.

One public comment was received in support, agency referrals have been met, noise, lighting and other nuisances shall apply, and standards shall be followed.

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

Commissioner Tilden made a motion to approve Tri Star Cabins SUP, Commissioner Mangold seconded, motion carried. **RESOLUTION 2022-08**

#### **Planning & Zoning – RE: Public Hearing: Moore Custom Cabinets SUP-222**

Chairman Overfield opened the public hearing.

Ms. Umphlett and Ms. Cramer presented the special use permit submitted by Wayne Moore to operate a business building custom cabinets and countertops

for local residences. All construction work, equipment and materials will be contained inside the shop which is approximately 2,500 sq. ft. The parcel is 40-acres and 4.5 miles northeast of Powell. The classification is Cottage Industry and allowed in GR-P zoning, currently vacant and will be a shop/residence. Neighboring land is mostly residential, legal notices and agency referrals have been met. The applicant will submit an approved run-off and erosion control plan prior to commencing. One public comment in support was received.

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

Consistency in the application process was discussed. Commissioner Thiel feels not all cases are handled the same. With that stated, Commissioner Thiel moved to approve with conditions one and five, Commissioner Livingston seconded and after further discussion the motion carried. **RESOLUTION 2022--09**

#### **Planning & Zoning – RE: Public Hearing: Jody Lane MS-63 Sketch Plan**

Ms. Hill and Ms. Umphlett presented Brett & Cathy Whitlock's minor subdivision application to vacate and re-subdivide Lot 2 of the Miller SS-33 into a four-lot subdivision consisting of two 5.09-acre lots, and two 5.10-acre lots, all for residential use. These lots are located about 10 miles southwest of Cody in GR-5 zoning district, notices, agency referrals were met, three written appeals were received objecting to the Administrative Relief granted by Public Works.

Planning Director Hill recommends the continuance of this public hearing until the hearing on the appeal for administrative relief has been held. Ms. Hill also stated the relief could impact requirements for layout and the Subdivision Improvement Agreement.

Chairman Overfield stated the appeal is scheduled for February 1 on the road situation and asked for public comments. Russ Whitlock would like to see the Commission wait until after the appeal to decide.

Commissioner Livingston moved to continue the sketch plan public hearing to February 15 at 10 a.m., Commissioner Thiel seconded, motion carried.

#### **Planning & Zoning, Joy Hill, P&Z Director – RE: Consideration of penalties, Nicholson**

Ms. Hill presented a copy of the zoning violation report V11-21-A for discussion of the imposed penalties. The County Attorney discussed the matter of approving the Subdivision Improvements Agreement (SIA) prior to a response from the State Board of Control which is not recommended per state statute. November 29 an email was received indicating the final plat application would be submitted and improvements were installed. Investigations found that a water line, road infrastructure, irrigation lines and gas lines were all installed before approval of final plat. Due to this investigation Mr. Nicholson was found in violation and sent a certified letter stating that he is required to pay a \$150 investigation fee which was paid January 13, 2022.

Chairman Overfield stated this is not a public hearing but would allow comments. Attorney Simpson stated the frustration of waiting on the State Board of Control. There was discussion regarding the SIA, winter season approaching, and no mention of fines for violation at review of preliminary plat.

Commissioner Tilden recognized the violation of the resolution and state statute and understands Nicholson's position. Commissioner Tilden moved to impose a \$1.00 a day fine for a total of \$21.00 owed, Commissioner Thiel seconded, motion carried.

#### **Karen Horner, Library Director – RE: Library update**

Ms. Horner gave an update on the wage study and job descriptions realigned with the county study completed. Created a website, social media, and great partnerships with the radio. Worked on story walks, kindness benches and connecting with community partners with a presence at the home show, Beck lake

run, Meeteetse Labor Day, fair, Gallagher's corn maze to name a few. Powell Library architects are progressing, foundation donations are increasing, they have received a couple business grants, seed libraries will start in March, and they are in the process of getting an outreach van to travel the county with.

Ms. Stuart, Board Chair could not be more delighted with Ms. Horner's work ethic, economic and social multipliers. Commissioner Mangold is impressed with the outreach programs and Chairman Overfield stated Ms. Horner is doing a great job. Ms. Horner's reply we are busy and here to serve the people of the county.

#### **Ann Trosper, District Manager Clarks Fork Conservation District – RE: Annual Report**

Ms. Trosper gave an update on the education outreach to the public by attending and presenting at the annual irrigation district meetings, Big Horn Basin Farm Bureau meeting, small acreage workshop on irrigation issues, presented the Shoshone River Watershed Plan and updated to Powell Rotary and Cody Optimists and a presentation to Park County Realtors regarding soil surveys and subdivision information. The Water Development review is January 27 and then it will proceed to the legislators for match consideration. As everyone is aware there was a substantial increase in activity reviewing subdivision or special use permits, 2020 there was 27 reviews and 2021 there was 40 reviews.

The Board asked Ms. Trosper to keep apprised on the legislation so they can show support.

#### **Patty Umphlett, Planning and Zoning – RE: Francis SS-284 Final Plat**

Ms. Umphlett presented the final plat application to create a two-lot subdivision consisting of one 4.97-acre and one 8.62-acre lot for residential use. The land is in GR-M zoning and was presented to the Meeteetse Local Planning Area. The property is located 12 miles northeast of Meeteetse, agency referrals have been met and no public comments have been received.

Chairman Livingston moved to approve the final plat as submitted, Commissioner Tilden seconded, motion carried. **RESOLUTION 2022-10**

#### **Cody Conservation District – RE: 2021 update & mill levy options**

Mr. Dwyer presented a summary for 2021. The district has secured funding through the National Association of Conservation Districts to remain staffed through December 2022. Soil Reviews, seedling tree program, Sulphur Creek Bentonite Erosion Control Pilot project and Sulphur Creek Beaver Dam Analogue project were all continued. A cost share program for rural well water testing day will be offered at a 50/50 cost share on 14 water samples. Outreach, education, water quality monitoring and watershed assessments/studies all continue to be monitored.

Mr. Dwyer discussed with the board a petition to move forward with a May 17 special election for the district to levy one mill on all assessed property in the district. Further discussion regarding a special election, Mr. Odde was uncomfortable estimating costs and such with no advance notice to review particulars of conducting such an election. Mr. Vanata stated that the district is within the 110-day countback which is January 27. Without further information the board was not ready to decide.

#### **Commissioners – RE: Letter of Support Request, Essential Air Service**

Mr. Hall requested the Board sign a letter of support to US Department of Transportation for the continued support of the Essential Air Service to Cody. Commissioner Tilden made a motion to approve the letter to read "For the past two years we have had service...", Commissioner Livingston seconded with the change, motion carried.

Mr. Vanata came before the board again after consulting in hallway quoting WY Statute §11-16-134 imposition of tax electors. The board will take under consideration and decide at the February 1 meeting regarding the Special Election.

**Adjourn.**

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

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Dossie Overfield, Chairwoman

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Scott Mangold, Vice Chairman

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Lee Livingston, Commissioner

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Lloyd Thiel, Commissioner

\_\_\_\_\_  
Joe Tilden, Commissioner

Attest:

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Colleen Renner, County Clerk