

Park County Board of County Commissioners
Regular Meeting
Tuesday, May 3, 2022

Chairwoman Dossie Overfield called to order a regular meeting of the Board of County Commissioners of Park County, Wyoming, on Tuesday, May 3, 2022. Present were Vice Chairman, Scott Mangold, Commissioners Lee Livingston, 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 Livingston made a motion to approve the following consent agenda items adding the approval of a job description for planning and zoning; minutes from April 19; bi-weekly payroll in the amount of \$632,418.10 with insurance and vouchers. Commissioner Tilden seconded and the motion carried.

| Payee | Amount |
|-----------------------------------|-------------|
| A & I DISTRIBUTORS | \$1,972.01 |
| AIR CON REFRIGERATION | \$318.21 |
| ALBERTSONS - SAFEWAY | \$510.50 |
| AT&T MOBILITY | \$2,367.36 |
| B & B FLEET SERVICE | \$480.00 |
| BENNETT, M.D., THOMAS L. | \$2,244.80 |
| BIG BROTHERS BIG SISTERS OF NW WY | \$2,241.54 |
| BIG HORN COUNTY CORONER | \$500.00 |
| BIG HORN WHOLESALE, INC. | \$958.03 |
| BILLINGS PETERBILT INC | \$248.12 |
| BLACK HILLS ENERGY | \$1,077.13 |
| BLAKEMAN PROPANE, INC. | \$1,349.50 |
| BOMGAARS | \$194.74 |
| BONINE, DUNCAN | \$99.57 |
| BRANDON-WINTERMOTE, KIMBERLY | \$90.21 |
| BRAZELTON, LILLIAN | \$60.00 |
| BURNS, MICHELLE M., ATTY AT LAW | \$3,122.50 |
| CBL SALT LAKE CITY | \$85.00 |
| CDW GOVERNMENT, INC. | \$10,946.52 |
| CENTURYLINK BUSINES SERVICES | \$3.74 |
| CHARTER COMMUNICATIONS | \$124.69 |
| CHOICE AVIATION, LLC | \$429.27 |
| CML SECURITY | \$1,583.95 |
| CODY ACE HARDWARE | \$295.96 |
| CODY ENTERPRISE | \$40.00 |
| CODY REGIONAL HEALTH | \$15,702.47 |
| CODY, CITY OF | \$24,431.30 |
| CRISIS INTERVENTION SERVICES | \$4,900.00 |
| DENNY MENHOLT CHEVROLET BUICK GMC | \$644.11 |
| DODGE COMPANY, THE | \$475.91 |
| DOOPER, KIM | \$117.00 |
| ELECTRICAL ALLY, INC. | \$378.00 |
| FASTENAL | \$18.25 |
| FERGUSON, BOB | \$95.48 |
| FLOYD'S TRUCK CENTER | \$867.95 |
| GALLS, LLC | \$23.36 |
| GLAXOSMITHKLINE PHARMACEUTICALS | \$1,713.96 |
| GOODYEAR PRINTING | \$57.50 |
| GRAINGER | \$374.00 |
| HONNEN EQUIPMENT CO. | \$19,527.12 |
| ICS JAIL SUPPLIES INC | \$3,914.44 |
| IVERSON SANITATION | \$50.00 |
| JONES, RICHARD B | \$103.08 |

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|--|-----------------------------------|
| JUDICIAL DIALOG SYSTEMS | \$28,100.00 |
| KALENAK LAW | \$2,511.00 |
| MASTER'S TOUCH, LLC | \$7,587.76 |
| McINTOSH OIL, INC. | \$6,978.46 |
| MOTOR PARTS, INC. | \$1,251.32 |
| MURDOCH OIL, INC. | \$19,442.88 |
| MURDOCH'S RANCH & HOME POWELL | \$16.99 |
| NEMONT | \$46.14 |
| NEWEGG BUSINESS, INC. | \$60.00 |
| NORCO, INC. | \$268.94 |
| NORMONT EQUIPMENT CO | \$70.28 |
| NORTHWEST COLLEGE | \$5,052.00 |
| OFFICE SHOP, THE | \$636.58 |
| ONE SOURCE WIRELESS | \$1,480.00 |
| O'REILLY AUTO PARTS - POWELL | \$51.06 |
| PARK COUNTY GLASS, INC. | \$93.00 |
| PARK COUNTY TREASURER | \$3,147.77 |
| PAVEMENT MAINTENANCE, INC. | \$23,200.00 |
| POWELL ACE HARDWARE, LLC | \$103.88 |
| POWELL, CITY OF | \$6,073.18 |
| QUADIENT FINANCE | \$1,205.00 |
| QUILL CORPORATION | \$182.96 |
| RECTOR AUTOMOTIVE | \$99.95 |
| ROCKY MOUNTAIN POWER | \$3,161.67 |
| SAUCEDA, DAVE | \$182.52 |
| SELBYS, INC. | \$140.90 |
| SMITH PSYCHOLOGICAL SERVICES | \$400.00 |
| SPENCER FLUID POWER | \$109.18 |
| SYSCO FOOD SERVICES OF MONTANA | \$910.57 |
| TCT WEST, INC | \$8,901.88 |
| THOMPSON REUTERS - WEST | \$897.12 |
| T-O ENGINEERS | \$2,428.75 |
| TORGERSON'S | \$492.75 |
| TRACTOR & EQUIPMENT CO | \$185.34 |
| TRI STATE TRUCK & EQUIP, INC | \$22,920.98 |
| TRIPLE L SALES | \$15.43 |
| UPS STORE, THE | \$13.56 |
| V H BLACKINTON CO., INC | \$12.00 |
| VERIZON WIRELESS | \$85.70 |
| VERIZON WIRELESS | \$100.12 |
| VISION WEST, INC. | \$171.00 |
| WAL MART COMMUNITY/GEMB | \$689.27 |
| WOODWARD TRACTOR & RENTAL, INC | \$7,346.15 |
| WYOMING DEPARTMENT OF HEALTH | \$39,681.81 |
| WYOMING DEPARTMENT OF HEALTH/PBL HLTH LB | \$24.00 |
| WYOMING DEPT OF AGRICULTURE | \$100.00 |
| WYOMING GUARDIAN AD LITEM PROGRAM | \$159.99 |
| WYOMING GUARDIAN AD LITEM PROGRAM | \$12,660.38 |
| YELLOWSTONE MOTORS | \$12.99 |
| YOUTH CLUBS OF PARK COUNTY | \$7,524.23 |
| TOTAL | <u><u>\$321,724.72</u></u> |

Joy Hill, Planning & Zoning Director – RE: Approve Release of Escrow Funds for Riverside MS-60

Ms. Hill presented the documentation to release the funds as the improvements to the subdivision have been completed and to record.

Commissioner Tilden made a motion to approve, Commissioner Livingston seconded, motion carried.

Kim Dillivan, Planning & Zoning – RE: Public Hearing: French Sign Variance #1

Chairwoman Overfield opened the public hearing.

Mr. Dillivan presented an application for a variance that would allow Kevin French to exceed the maximum size allowed for a single sign. This sign will be

located north of the Garland Canal and south of Highway 14A, outside the highway right-of-way. The GR-P zoning district allows low and moderate-intensity land uses. Legal notices and agency referrals have been met. Signs are permitted in the GR-P zoning district provided sign standards are met and a Building/Zoning Permit is approved. The dimensions of these signs do not fit regulations and therefore a variance is needed. The Board received one public comment in opposition.

Chairwoman Overfield call for public comments. Minnie Cozzens stated she is the former owner, and the present landowner was not notified and requests that the notice be sent to them before a decision is made. Applicant French questioned the sale of the land being to family, Ms. Cozzens stated she still lives there and did receive the notice.

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

Following a discussion about the procedure, the applicant stated a variance comes first, then WYDOT approval and then a building permit.

Commissioner Tilden made a motion to approve, Commissioner Thiel seconded, motion carried. Planner Dillivan stated the size should be presented in the motion. Commissioner Tilden amended the motion to limit the sign to 675 square feet on each side, Commissioner Thiel agreed, motion carried. **RESOLUTION 2022-38**

Kim Dillivan, Planning & Zoning – RE: Public Hearing: French Sign Variance #2

Chairwoman Overfield opened the public hearing. Mr. Dillivan presented Kevin French's application seeking a variance to exceed the maximum size for a single sign and exceed the maximum signage allowed per site. This sign will be located south of the Garland Canal and southeast of Highway 14A, outside the highway right-of-way. An approved variance would allow the applicant to apply for a building/zoning permit to construct the proposed sign. The property is in GR-P zoning. Legal notices and agency referrals have been met.

Chairwoman Overfield called for public comments. Minnie Cozzens stated she has concerns about the signage on the curve and said it would diminish her view. Mr. French stated the sign will be at eye level and not impede the view of traffic, also this sign is one way, double facing with one foot of space in between.

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

Commissioner Livingston moved to approve the proposal for the side-by-side sign as presented, Commissioner Tilden seconded, motion carried.

RESOLUTION 2022-39

James Klessens, Forward Cody Wyoming, Inc. – RE: Special Funding Request

Mr. Klessens thanked the Board for past support. Mr. Klessens is requesting \$15,000 and gave an update on Gunwerks, and two other significant projects, Legacy Meats and a co-working space that provides conference rooms or just a desk for a day, week, or month.

Charlie Jones, Mannahouse Food Pantry – RE: Special Funding Request

Mr. Jones stated Mannahouse is very appreciative of what they receive and is requesting \$15,000 for the upcoming year. Mannahouse serves 50-90 families a week with 600 registered. Walmart, Albertsons, Food Banks of the Rockies & Wyoming, and the federal food program provide a large amount of the product. The dollars will be used to do an electrical upgrade and new flooring in the building.

Pat Meyer, Park County Assessor – RE: Set Elected Official Salaries per W.S. § 18-3-107

Mr. Meyer briefly restated what was presented April 19. After lengthy discussions on what future budgets will look like, the statute stating the wage must

be set for the next four years, hearing from the elected officials on changes in the last four years, Commissioner Tilden made a motion to pay the Clerk, Treasurer, Assessor and Clerk of the District Court \$94,000 per year for the next four years, Commissioner Livingston seconded, Commissioner Thiel opposed, motion carried.

Commissioner Tilden moved to pay the Sheriff \$94,000 per year for the next four years, Commissioner Mangold seconded, Commissioner Thiel opposed, motion carried.

Commissioner Mangold moved to pay the Attorney \$115,000 per year for the next four years, Commissioner Tilden seconded, Commissioner Thiel opposed, motion carried.

Commissioner Livingston moved to pay the Coroner \$44,000 per year for the next four years, Commissioner Tilden seconded, Commissioner Thiel opposed, motion carried.

Commissioner Tilden moved to pay the Commissioners \$41,000; motion died for lack of a second. With no motion on the floor Chairwoman Overfield stated the Commissioners will remain at \$36,174.38. **RESOLUTION 2022-40**

Hans Odde, First Deputy Clerk – RE: Park County Fire District #2 Sub-District Director Boundary Line Adjustment – Consider Resolution

Mr. Odde introduced Election Deputy Kaitlyn Johnson, who was integral in helping with the process and updating the WyoReg system.

Mr. Odde stated Fire District #2 recently approved a boundary line adjustment to match the House District 50 and 24 boundaries. Commissioner Livingston moved to approve the fire district boundary line change as presented, Commissioner Mangold seconded, motion carried. **RESOLUTION 2022-41**

RE: Consider Precinct Boundary Line Adjustments Due to Redistricting and Consider Resolution to Establish 2022 Elections Districts, Precincts, and Polling Places

Mr. Odde presented the revised boundaries, which come with legislative redistricting. There were several changes presented, most in the Garland/Powell area plus House District 28 moving further into Park County south of Cody. In the process of redistricting, the lines for special districts are taken into consideration, creating a roadmap for 43 ballot styles.

During a redistricting year, Mr. Odde stated that commissioners must set districts and precincts for the upcoming election cycle no later than first meeting in May.

Commissioner Livingston made a motion to establish the 2022 election district and precinct boundary line adjustments and include the courthouse for absentee counting center and absentee polling place, Commissioner Thiel seconded. Vince Vanata, representing the Park County Republican Party, stated concerns about the impact of the new boundaries on the number of party precinct committeemen and women. Mr. Odde noted that WY Statute §22-4-101(c) states “on which a new plan of legislative districts is required, the number of precinct committeemen and committeewoman shall be one ... for each two hundred fifty votes...” After further discussion, and Chairwoman Overfield stating there will be an increase in representation, the motion carried. **RESOLUTION 2022-42**

Tycee Mohler, 4-H – RE: Special Funding Request

Ms. Mohler said Park County 4-H numbers are increasing, saying there are 148 new members, which is super exciting. The request for \$6,000 remains the same and is for opportunities for shooting sports, gardening, horseman, livestock, and civil engagements to name a few.

Linda Dalton, Powell Senior Citizens – RE: Special Funding Request

Ms. Dalton stated they are seeing an increase of about 10 new people a month of younger seniors coming to the center. The increased request of \$56,000 helps with the local match for state and federal grants. In January to March, the

center provided 8,882 meals, the cost for those meals has gone from \$3.25 to \$4.17 for the raw foods since last year and containers have almost tripled. The center has applied for grant funding to help cover the costs.

Norma Riley, Meeteetse Senior Citizens – RE: Special Funding Request

Ms. Riley stated the center provides meals on Monday and Wednesday, serving 1,861 meals in 2021. This provides a socialization time for many which is important for mental health and sense of purpose. The requested funds of \$10,000 offset some maintenance costs and helps with increasing food costs. Ms. Riley stated she will be leaving the center and going to the library. The Board thanked her for her service with the center.

Becky Ransom, Yellowstone Behavioral Health Center – RE: Special Funding Request

Ms. Ransom stated the program provides 24/7 emergency services for the Powell, Cody, and the detention center on suicidal calls. The \$50,000 dollars requested are tied directly to services in Park County. Other funding sources are decreasing but needs are increasing with depression and anxiety, not only with adults but children and youth as well.

Kim Dillivan, Planning & Zoning – RE: Emerald MS-62 Final Plat/Subdivision Improvements Agreement

Mr. Dillivan presented the final plat application for a three-lot subdivision consisting of one 3.71-acre lot and two 2.0-acre lots, all for residential use. The applicants also request Board approval of a Subdivision Improvements Agreement (SIA) that addresses required utility improvements. The subdivision is located northeast of Ralston in GR-P zoning and neighboring land uses are primarily agricultural. All conditions have been met.

Commissioner Tilden made a motion to approve the SIA, Commissioner Thiel seconded, motion carried. Commissioner Livingston made a motion to approve the final plat, Commissioner Tilden seconded, motion carried.

RESOLUTION 2022-43

Elfriede Milburn, Powell Animal Shelter – RE: Special Funding Request

Ms. Milburn stated they receive about 65 animals from the county and about 25 from within the city limits. The \$3,500 from the county helps with feeding and vet bills as places are not donating food as much. Donations are received in lieu of flowers from families who request that in obituaries.

Ben McDonald, Project Manager, Public Works Department – RE: Sealed Bid for FY2021 CMAQ Dust Control Application

Mr. McDonald stated two bids were received. He apologized for having to rebid, as our process did not meet a federal requirement of 21 days for advertising. Dust Busters, Evanston – \$7,175.00 per mile
Desert Mountain, Riverton – \$5,772.80 per mile

Commissioner Thiel moved to award CMAQ to Desert Mountain, Commissioner Livingston seconded, motion carried.

Leah Renaud, Cody Senior Center – RE: Special Funding Request

Terry Hinkle apologized for Ms. Renaud being unable to attend. The request of \$55,000 has been increased due to the number of meals and rides with rising food and gas prices also the containers have increased by 30%. Along with many entities, the center struggles with staffing as well.

Shannon Votaw, Park County Court Supervised Treatment Program – RE: Special Funding Request

Ms. Votaw introduced Ms. Fales who is the peer support specialist, case manager and a graduate of the program. Ms. Fales gave a testimonial on how the

program worked for her and all that she has accomplished because of the opportunities it provided.

Ms. Votaw stated they are requesting the same amount of \$12,000 which helps them meet their match with the State of Wyoming drug court grant. The program is also very appreciative of the in-kind donation of free rent at the complex.

Steve Penwell, Health Insurance Presentation – RE: Healthy Is Contract Renewal

Mr. Penwell, representing the committee, spoke about the renewal and the importance of wellness and incentive pay. After discussion Commissioner Tilden made a motion, Commissioner Livingston seconded for discussion. The committee feels the Healthy Is program is not cost effective without an incentive for employees to use it. There is currently less than 20% participation. Commissioner Tilden withdrew his motion, Commissioner Livingston withdrew his second. Chairwoman Overfield stated we will revisit during budget time in June.

RE: Health Insurance Renewal

Mr. Penwell presented the stop loss carrier insurance information for renewal at last year's rates. It needs to be in place by May 7. Commissioner Livingston moved to approve, Commissioner Mangold seconded, motion carried.

Commissioner Livingston moved to approve the renewal with RCI as the third-party administrator, Commissioner Tilden seconded, motion carried.

Phillip Bowman, City of Cody Public Works Director – RE: Special Funding Request

Mr. Bowman said the City of Cody has an opportunity to participate in the WYDOT alternatives program. The \$5,000 requested from the county would provide partnership and matching funds for FY23. After discussion a letter of support and funds are not needed until the end of FY23.

Colleen Renner, Clerk – RE: Consider Election Judge Compensation per W.S. § 22-8-116

Clerk Renner presented to the Board recommendations to keep judge compensation the same for the 2022 elections: \$125 per day, \$30 meal stipend, \$25 for training and 58.5 cents per mile if more than 10 miles round trip from their polling location. Commissioner Tilden moved to approve as presented, Commissioner Livingston seconded, motion carried.

Commissioners – RE: Go Momma Go Arena SUP-233

Chairwoman Overfield stated that the prior public hearing was closed, with legal issues still needing to be addressed. Brian Edwards gave an update from the attorney, saying the county cannot issue a perpetual right-of-way permit for a reoccurring event. The discussion continued regarding moving the parking lot to the other side of the highway, a control zone like a school zone, fencing so only one area would be crossable, portable electric fencing, and the revocation process if approved and a situation arose. Ms. Hill reminded the Board that the health, safety, and welfare is the main objective of the county's standards. The owners built without a permit, and this has now become our number one concern on how to mitigate those three objectives listed above.

Commissioner Thiel moved to approve SUP233, striking condition number 4 regarding food vendors and number 7 regarding the number of chemical toilets, Commissioner Tilden seconded for further discussion.

Ms. Hill stated she would be good with striking the cap on chemical toilets. Commissioner Livingston asked if Commissioner Thiel would consider adding fencing to his motion. After further discussion, Ms. Hill noted that condition number 3 says, "applicants shall follow the recommendations of Public Works and establish a plan to address pedestrian and traffic safety issues, including approval of the

plan by the County Engineer, prior to resuming or commencing the use.” Motion carried. **RESOLUTION 2022-44**

Brian Edwards, P.E., Public Works Department – RE: Consider Landfill Rate Changes

Mr. Edwards discussed a conversation held with the City of Powell and its 74 tons of annual household garbage returning to the landfill. With fuel costs rising, the city will sign an 8-year contract for \$65 a ton and return. The City of Cody and Keele Sanitation are also on board. Commissioner Tilden suggested reaching out to Two Tough Guys also. Discussion with all players on the eight-year contract will still need to be addressed.

Commissioner Tilden made a motion to approve the \$65 rate contingent on all parties signing the 8-year contract, Commissioner Thiel seconded, motion carried.

Adjourn.

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

Dossie Overfield, Chairwoman

Scott Mangold, Vice Chairman

Lee Livingston, Commissioner

Lloyd Thiel, Commissioner

Joe Tilden, Commissioner

Attest:

Colleen Renner, County Clerk