

Park County Board of County Commissioners
Regular Meeting
Tuesday, April 18, 2023

Chairwoman Dossie Overfield called to order a regular meeting of the Board of County Commissioners of Park County, Wyoming, on Tuesday, April 18, 2023. Present were Vice Chairman, Lloyd Thiel, Commissioners Lee Livingston, Scott Mangold, Scott Steward and Clerk Colleen Renner.

Commissioner Thiel led the audience in the pledge of allegiance.

Consent Items:

Approve-Minutes, Payroll and Vouchers

Chairwoman Overfield asked to extend the Executive Session to also include W.S. § 16-4-405 (a)(ii), Commissioner Livingston moved to approve the addition to the agenda, Commissioner Thiel seconded, motion carried.

Commissioner Thiel moved to approve the following consent agenda items: minutes from April 4, 2023; payroll in the amount of \$473,987.03; vouchers; sign FFY2023 Q2 TANF/CPI Report & Vouchers; and monthly earnings and collection statements for the Clerk, Clerk of District Court, and Sheriff.

Payee	Amount
360 OFFICE SOLUTIONS	\$366.49
A & I DISTRIBUTORS	\$880.00
ABROMATS, LETITIA C. PC	\$1,735.00
ABSAROKA DOOR	\$1,711.29
AIR CON REFRIGERATION	\$564.30
ALDRETE, CHRISTOPHER	\$306.54
AMERICAN WELDING & GAS, INC.	\$24.14
BAILEY ENTERPRISES, INC.	\$6,166.14
BASIN MECHANICAL, INC.	\$181.82
BEAR CO., INC.	\$7,646.83
BEARTOOTH ELECTRIC COOP	\$71.85
BIG HORN GLASS	\$791.63
BIG HORN RADIO NETWORK	\$288.00
BIG HORN RURAL ELECTRIC COMPANY	\$341.56
BIG HORN WATER	\$415.50
BIG HORN WHOLESALE, INC.	\$2,112.24
BIG VALLEY BEARING & SUPPLY, INC.	\$544.81
BLACK HILLS ENERGY	\$12,322.67
BLAKEMAN PROPANE, INC.	\$1,325.22
BOMGAARS	\$432.86
BOONE'S MACHINE SHOP	\$138.67
BORDER STATES ELECTRIC	\$602.74
CARING FOR POWELL ANIMALS	\$750.00
CAROLINA SOFTWARE	\$775.00
CARQUEST AUTO PARTS - #064250	\$739.45
CBL SALT LAKE CITY	\$159.80
CDW GOVERNMENT, INC.	\$388.74
CENTURYLINK	\$2,854.21
CENTURYLINK BUSINES SERVICES	\$22.32
CHARTER COMMUNICATIONS	\$284.36
CODY ACE HARDWARE	\$640.81
CODY CLINIC	\$100.00
CODY COUNCIL ON AGING	\$13,750.00
CODY ENTERPRISE	\$2,880.70
CODY WINNELSON CO.	\$1,318.88
CODY, CITY OF	\$2,933.83
COGGINS, ELIZABETH	\$103.50
COMMUNICATION TECHNOLOGIES, INC.	\$740.40
COWBOY LEGAL, LLC	\$4,770.00
CRISIS INTERVENTION SERVICES	\$2,750.00
CRONK, BRENDA	\$72.05
CRUM ELECTRIC SUPPLY CO.	\$204.35
CUSTOM DELIVERY SERVICE, INC.	\$135.64
DELL MARKETING L.P., C/O DELL USA L.P.	\$201.30
DENNY MENHOLT CHEVROLET BUICK GMC	\$30,625.00

ENGINEERING ASSOCIATES	\$222.60
ENGINEERING DESIGN ASSOCIATES	\$21,195.00
FASTENAL	\$185.16
FORWARD CODY WYOMING, INC.	\$3,500.00
FULL DRAW CONSTRUCTION	\$4,878.40
GALLS, LLC	\$347.53
GARLAND LIGHT & POWER CO.	\$1,616.63
GRAINGER	\$1,594.76
HONNEN EQUIPMENT CO.	\$1,629.40
IVERSON SANITATION	\$50.00
JC DESIGNS, LLC	\$1,045.00
KEELE SANITATION	\$3,983.50
KRONE LAW LLC	\$453.34
LARAMIE COUNTY TREASURER	\$1,209.00
LOEPER, JESSICA	\$257.50
MAJESTIC LUBE, INC.	\$142.20
MANNAHOUSE FOOD PANTRY	\$2,500.00
McKESSON MEDICAL SURGICAL	\$103.63
MEETEETSE SENIOR CENTER	\$2,500.00
MEETEETSE VISITOR CENTER	\$1,500.00
MEETEETSE, TOWN OF	\$249.20
MILES, SARAH N.	\$400.00
MONTANA-DAKOTA UTILITIES CO.	\$4,575.35
MOUNTAIN WEST COMPUTER	\$149.86
MURDOCH OIL, INC.	\$27,303.00
MURDOCH'S RANCH & HOME POWELL	\$347.95
NAPA AUTO PARTS	\$43.09
NATRONA COUNTY LEGAL DEPARTMENT	\$1,080.00
NEMONT	\$40.11
NORCO, INC.	\$98.58
OFFICE SHOP, THE	\$945.06
PARK CO COURT SUPERVISED TREATMENT PROG	\$3,000.00
PARK COUNTY 4-H COUNCIL	\$1,500.00
PARK COUNTY GLASS, INC.	\$693.52
PARK COUNTY TREASURER	\$95,575.00
PAVEMENT MAINTENANCE, INC.	\$66,066.00
PLANET HEADSET	\$102.65
POISON CREEK, INC	\$196.22
POSTMASTER, CODY WY	\$398.00
POWELL ACE HARDWARE, LLC	\$15.97
POWELL ECONOMIC PARTNERSHIP, INC.	\$3,000.00
POWELL SENIOR CITIZENS AGO-GO, INC	\$13,750.00
POWELL TRIBUNE, INC.	\$1,250.10
POWELL VALLEY RECYCLING	\$625.00
POWELL WELDING AND INDUSTRIAL SUPPLY LLC	\$29.00
PRESTON, LYNELL K	\$29.15
PRODUCTION MACHINE COMPANY	\$726.26
QUILL CORPORATION	\$137.99
RIMROCK TIRE CO - CODY	\$40.95
ROCKY MOUNTAIN WASH, LLC	\$61.50
ROVENNA SIGNS & DESIGN	\$134.60
S&P BRAKE SUPPLY AND DRIVELINE SERVICES	\$426.89
SABER PEST CONTROL	\$230.00
SANOFI PASTEUR, INC	\$978.78
SIMPSON, KEPLER & EDWARDS, LLC	\$120.00
SMALLWOOD HORSES	\$166.40
SMITH PSYCHOLOGICAL SERVICES	\$400.00
STATE OF MONTANA	\$3,100.00
STERICYCLE	\$34.00
STONEHOUSE DATA SOLUTIONS, LLC	\$92.22
SYSCO FOOD SERVICES OF MONTANA	\$2,772.69
TCT WEST, INC	\$8,226.57
THIEL, LLOYD	\$250.87
THOS. Y. PICKETT & CO., INC.	\$4,700.00
TRACTOR & EQUIPMENT CO	\$3,353.64
TRI STATE TRUCK & EQUIP, INC	\$294.65
TRIPLE L SALES	\$18.90
UPS STORE, THE	\$13.58
VARDIMAN, JEREMIAH	\$212.22
VISA - #0045 - B. SKORIC	\$1,636.18
VISA - #0052 - P. MEYER	\$219.96
VISA - #0078 - COUNTY COMMISSSIONERS	\$98.92

VISA - #0086 - W.E. CRAMPTON	\$637.36
VISA - #0250 - C. RENNER	\$12,904.27
VISA - #0268 - D. CARROLL	\$217.28
VISA - #0359 - S. STEWARD	\$647.40
VISA - #0367 - J. HILL	\$378.75
VISA - #4079 - S. STEWARD	\$5,252.62
VISA - #4087 - M. CONNERS	\$20,907.93
VISA - #4103 - D. STEWARD	\$546.99
VISA - #4168 - B. EDWARDS	\$920.30
VISA - #4184 - T. KATTENHORN	\$6,320.22
VISA - #4192 - W. WOOD	\$378.04
VISA - #4440 - C. GORTMAKER	\$201.25
VISA - #5449 - HOMELAND SECURITY	\$68.89
WEBSTER, II, C.E., ATTORNEY LLC	\$1,110.00
WENDY G MORRIS CONSULTING LLC	\$31,868.64
WHITE INK, LLC	\$85.00
WOODWARD TRACTOR & RENTAL, INC	\$1,032.12
WYOMING BEHAVIORAL INSTITUTE	\$3,770.00
WYOMING DEPARTMENT OF EMPLOYMENT	\$167.90
WYOMING DEPARTMENT OF HEALTH	\$173.44
WYOMING DEPARTMENT OF HEALTH/PBL HLTH LB	\$65.00
WYOMING SECRETARY OF STATE	\$60.00
WYSE, SABINA	\$35.37
YELLOWSTONE BEHAVIORAL HEALTH	\$12,500.00
YOUTH CLUBS OF PARK COUNTY	\$2,500.00
TOTAL	<u>\$507,743.64</u>

Kim Dillivan, Planning & Zoning – RE: Public Hearing: Paisley SUP-247

Chairwoman Overfield opened the public hearing.

Mr. Dillivan presented a special use permit application for Paisley Custom Wood, LLC. property owned by Dennis Harris. The applicant is seeking approval for a highway commercial business that will consist of one mobile coffee kiosk, one mobile food and catering trailer and one additional rental spot for a short-term retail or food vendor. The property is located on State Street in Meeteetse in the GR-M zoning district. Neighboring land is a mixture of residential and commercial. Legal notices and agency referrals have been met with one public comment received in support. Hours of operation will be from 5 a.m. to 1 p.m., seven days a week. The seven staff recommendations were read into the record.

Chairwoman Overfield called for public comments, applicant Joe Paisley stated the use is intended to create small business and job opportunities. Commissioner Livingston questioned the times of operation. Mr. Paisley considered the proposed hours so not to impeded on other businesses in Meeteetse. There being no further public comments, Commissioner Livingston moved to close the public hearing, Commissioner Mangold seconded, motion carried.

Commissioner Mangold moved to approve as presented, Commissioner Livingston seconded, motion carried. **RESOLUTION 2023-16**

Kim Dillivan, Planning & Zoning – RE: Public Hearing: Be There Beartooth Ranch SUP-245

Chairwoman Overfield opened the public hearing.

Mr. Dillivan presented a special use permit application for a major institutional use consisting of outdoor adventure camp by Scot & Gretchen Hutton. The program consists of three sessions of 5-day camps, attendees will range from 16-24 years old per session along with mentors, staff, activity specialists and volunteers. The estimated number hosted will be 38-52 persons per session. The property is in GR-20 zoning near Clark and this use is permitted and has been in operation on the property for 18 years. This SUP would bring the property into compliance with county regulations. Uses and structures of the lots were presented, legal notices and agency referrals have been met and 19 written public comments have been received, seven opposed and ten emails were in support and two were applicant response and staff. Staff recommends approval with 4 conditions which were read into the record.

Chairwoman Overfield called for public comments with Janice Kuntz, Gretchen Hutton, Connie King, James Hayes, Vicky Snyder, Carrie Satterwhite, Jerry Hill, Judie Jefferis, Scott Hutton, and Brian Edwards all made comments.

Commissioner Livingston questioned the common grounds and what is in the covenants, Commissioner Thiel questioned the enforcement of the covenants, which the county does not, and suggested clarification be made to them, Commissioner Steward questioned enforcement on common ground. Commissioner Livingston made a motion to continue the public hearing to May 2nd at 1:30 p.m., Commissioner Thiel seconded, motion carried.

Kim Dillivan, Planning & Zoning – RE: Public Hearing: Sand Bar Ranch SUP-248

Chairwoman Overfield opened the public hearing.

Mr. Dillivan presented a special use permit application for an indoor riding arena which is 7,500 sq. foot with an outdoor riding arena already located on the property with the facility not being open to the public, the proposed use will entail equine training and lessons, recreational horseback riding and equine boarding. The property is located two miles east of the City of Powell in GR-P zoning. Legal notices and agency referrals have been met and no public comments received. Staff recommended approval with 5 conditions which were read into the record.

Chairwoman Overfield called for public comments with Mike Christensen speaking in support. There being no further public comments Commissioner Livingston moved to close the public hearing, Commissioner Thiel seconded, motion carried.

Commissioner Mangold made a motion to approve with conditions by staff, Commissioner Thiel seconded, motion carried. **RESOLUTION 2023-17**

Kim Dillivan, Planning & Zoning – RE: Public Hearing: Whisper Ridge MS-73 Sketch Plan

Chairwoman Overfield opened the public hearing.

Mr. Dillivan presented an application from Greybull River Ranch LLC., for a minor subdivision consisting of five-lots, one 7.43-acres, one 5.87-acres; one 7.3-acres, one 7.84-acres and one 9.84-acres all for residential use. Creation of this subdivision will result in a remainder parcel of 201 acres. The zoning is GR-M and located 21 miles northeast of Meeteetse. Notices and agency referrals have been met and no public comments received. Big Horn Rural Electric will require the subdivider to install the backbone on the northside of the highway. Army Corps of Engineers will need to address the wetlands. Staff recommends approval and read the recommendations into the record.

Chairwoman Overfield called for public comments, Jeff Umphlett with Big Horn Rural Electric stressed the need to place the backbone system for power. Ed Reed, Morrison Maierle addressed the board requesting removal of the power from the SIA as none of the lots have sold. Bruce Jacobsen, owner stated he is willing to work with BHRE.

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

After discussion regarding the power and the final plat and SIA to come before the Board Commissioner Thiel made a motion to approve as written with conditions, Commissioner Livingston seconded, motion carried. **RESOLUTION 2023-18**

Ben McDonald, Project Manager, Park County Public Works Department – RE: Bid Opening for Park County Land on 2AB

Mr. McDonald opened the only bid received on the parcel owned by the county that was presented to the two adjoining landowners to bid on with the minimum opening bid of \$23,699 which is the 2021 assessed value according to the Park County Assessor. Upon reading the letter from lone respondent it stated they were not willing to purchase the parcel under the specified terms. After discussion Commissioner Steward made a motion to send a letter to those landowners with no minimum bid, Commissioner Livingston seconded, motion carried.

Executive Session.

Commissioner Livingston made a motion to enter executive session pursuant to W.S. § 16-4-405 (a) (ii) and (1) (ix), Commissioner Mangold seconded, and motion carried.

Commissioner Livingston moved to exit from executive session, Commissioner Thiel seconded, and the motion carried. No decisions were made in or as a result of the executive session.

Kim Dillivan, Planning & Zoning – RE: Public Hearing: French Sign Variance #3

Chairwoman Overfield opened the public hearing.

Mr. Dillivan presented an application from Kevin French which is requesting approval of a variance to add a sign to the back side of a previously approved, single-sided sign/billboard. The property is in GR-P zoning and located .25 miles northeast of Ralston and divided by the Garland Canal. Legal notices and agency referrals have been met with no public comments received. The surrounding lands are agricultural with residential nearby. Notice from WYDOT confirmed the new sign would be allowed. Staff recommends denial as all conditions of variance have not been met.

Chairwoman Overfield called for public comments, Kevin French commented the request is to serve advertisers needs and stated he would have requested this in the first variance had he known it was allowed.

Commissioner Thiel moved to close the public hearing, Commissioner Mangold seconded, motion carried.

Chairwoman Overfield stated she received one negative call. Commissioner Thiel moved to approve the variance request with conditions, Commissioner Mangold seconded, Commissioner Livingston questioned who decides which signs are allowed, Commissioner Steward stated that the first variance exceeded the square footage and felt it was a slippery slope. Commissioner Livingston and Steward opposed. Chairwoman Overfield opposed; motion denied. **RESOLUTION 2023-19 – DENIED**

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

Mr. Jones reported on the increase in clients of Mannahouse over the past year and went on to explain how donations and grants are used to purchase food, and the product that is received from Walmart, Maverick, and Albertsons. The request for this year's special funding is \$15,000 and will be considered during the budget process.

Commissioners – RE: Discussion on Opioid Settlement with Rubris

Attorney Skoric presented the Memorandum of Understanding on the opioid settlement which allows the county to join with the State's Attorney General and other participating counties. Chairwoman will need to sign, and the attorney will need to sign with e-signature.

Commissioner Livingston made a motion to approve the MOU and allow the chair to sign, Commissioner Mangold seconded, motion carried.

Commissioner Livingston made a motion to allow Attorney Skoric to complete the online document agreement as designated agent with Rubris, Commissioner Steward seconded, motion carried. Chairwoman Overfield stated for those that were present there have been no determinations made on how these funds will be used.

Kim Dillivan, Planning & Zoning – RE: Public Hearing: Old Faithful RV Park Site Plan Review

Chairwoman Overfield opened the public hearing.

Mr. Dillivan presented an application for site plan review for approval to operate a three-season RV park consisting of twelve 16' 22 x 24' cabins, 45 RV pads, and a two-story structure containing bathrooms, showers, a laundry, a convenience store, an office, and two apartments. The cabins will be heated, and each will contain a bath and a kitchenette. The RV pads will feature water, electricity, and sewage disposal. The two-story structure will have electricity for

heat, potable water, and sewage disposal. The application listed the total floor area of the two-story structure as 4,704 sq. ft. Each of the twelve cabins has ground floor dimensions of 16' x 24' (384 sq. ft.). In addition, each cabin will have a 2nd level loft with floor dimensions of 12' x 16' (192 sq. ft.); of the loft area, approximately 12' x 5' will have a ceiling of 6' or higher (~56-60 sq. ft.). The land area impacted by the proposed use is 5.22 acres. The property is zoned commercial retail under Land Use Change/Classification (LUC-96) which was approved in 1994. The location is 15 miles west of Cody. Legal notices and agency referrals have been met and nine written public comments have been received. Staff recommends 18 conditions if the board chooses to approve, Mr. Dillivan read them into the record and included items such as square footage, setbacks from river, mule deer critical range and clarification that #13 is Jim Creek not Jack.

Chairwoman Overfield called for public comments, Eric Kincaid, Rob Berg, Michael Makeeta, Greg Bierei, Marty Brew, and Kim Burgen and all expressed concerns.

Commissioner Thiel moved to close the public hearing, Commissioner Livingston seconded, motion carried.

Commissioner Thiel stated there are legitimate concerns, the board all expressed concerns with density, Commissioner Mangold questioned DEQ and high-water section, setback on cabins, survey lines, thoughts on not squeezing so much into the parcel, clarifications on right of way line and figuring the setback recommendations from the river. Commissioner Livingston recommend that a decision could be made later once the applicant answers some of the concerns. Chairwoman Overfield stated that a decision will be made May 2, 2023, at 2 p.m. for further clarification.

Marynell Oechsner, Powell Valley Recycling – RE: Special Funding Request

Ms. Oechsner presented statistics regarding the usage of the center with 450,000 lbs. handled last year. The request for \$12,500 is to cover the cost to repair the baler. The request will be considered during the budget process.

Commissioners – RE: Park County Commissioner Scholarship Renewal

Commissioner Livingston made a motion to award the renewal to Allison Edwards, Commissioner Thiel seconded, motion carried.

Commissioners – RE: Bridger-Teton Economic Survey

Chairwoman stated a letter was received requesting support to survey the five counties' residents around the Bridger-Teton Forest. After brief discussion Commissioner Livingston stated that all the lands in Park County are wilderness and our input would not impact anything in Park County.

Jeremiah Vardiman, University of Wyoming Extension – RE: Introduction of New Horticulture Educator

Mr. Vardiman introduced Ted Smith who will be the part time horticulturist working in Cody and Powell.

Brian Edwards, Park County Engineer, Public Works Department – RE: Consider Receiving Proposals from Qualified Contractors for CMAR Services for the Courthouse HVAC Upgrade Project

Mr. Edwards stated the multimillion-dollar project for new HVAC system is underway and is requesting to put out an RFP to hire someone to manage and coordinate the process and make sure all details are taken care of moving forward, next it will go through a selection process and will report back with who is selected.

Commissioner Thiel moved to approve an RFP for CMAR services using ARP funds, Commissioner Livingston seconded, motion carried.

Adjourn.

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

Dossie Overfield, Chairwoman

Lloyd Thiel, Vice Chairman

Lee Livingston, Commissioner

Scott Mangold, Commissioner

Scott Steward, Commissioner

Attest:

Colleen Renner, County Clerk