

Park County Board of County Commissioners
Regular Meeting
 Tuesday, April 2, 2024

Chairwoman Dossie Overfield called to order a regular meeting of the Board of County Commissioners of Park County, Wyoming, on Tuesday, April 2, 2024. Present were Vice Chairman, Scott Steward, Commissioners Lee Livingston, Scott Mangold, Lloyd Thiel and Clerk Colleen Renner.

Molly Norberg led the audience in the pledge of allegiance.

Consent Items:
Approve-Minutes, Payroll and Vouchers

Commissioner Mangold made a motion to approve the following consent agenda items: minutes from 3/19/24; payroll in the amount of \$687,259.85; vouchers; approve and allow Chair to Sign Updated LEC Agreement; renewed lease for WIC; Public Health Grant; approve and Board sign Letter of Support for Essential Air Service. Commissioner Livingston seconded and the motion carried.

Payee	Amount
360 OFFICE SOLUTIONS	\$630.27
A & I DISTRIBUTORS	\$3,453.70
ALBERTSONS - SAFEWAY	\$359.44
AT&T MOBILITY	\$1,065.84
BEAR CO., INC.	\$46.04
BIG HORN WHOLESALE, INC.	\$1,262.50
BIG SKY COMMUNICATIONS, INC.	\$460.00
BIG VALLEY BEARING & SUPPLY, INC.	\$45.33
BLACK HILLS ENERGY	\$11,004.88
BLACK, WARREN	\$195.76
BLOEDORN LUMBER - CODY	\$273.46
BOB BARKER COMPANY	\$661.06
BOMGAARS	\$747.11
BONINE, DUNCAN	\$103.14
BUILDERS FIRST SOURCE	\$10.78
CARASOFT TECHNOLOGY CORP.	\$1,871.00
CAROLINA SOFTWARE	\$888.32
CDW GOVERNMENT, INC.	\$1,894.04
CENTURYLINK	\$2,421.75
CENTURYLINK BUSINES SERVICES	\$4.12
CHARTER COMMUNICATIONS	\$30.00
COCA COLA BOTTLING HIGH COUNTRY	\$154.00
CODY ACE HARDWARE	\$351.95
CODY ENTERPRISE	\$1,423.30
CODY, CITY OF	\$23,379.68
COOK MOVING & STORAGE	\$5,747.50
COULTER CAR CARE CENTER	\$124.99
CRUM ELECTRIC SUPPLY CO.	\$51.30
DENNY MENHOLT CHEVROLET BUICK GMC	\$67,230.99
DETCO	\$2,522.53
EASTMAN, GUY	\$93.76
EL DORADO SUPERIOR COURT	\$41.50
ENGINEERING ASSOCIATES	\$20,778.81
FASTENAL	\$455.89
FLOYD'S TRUCK CENTER	\$545.49
GALLS, LLC	\$223.90
GEOTEC INDUSTRIAL SUPPLY	\$10,900.00
GONZALEZ, RANEE L	\$5,706.00
GRAINGER	\$132.50
GROATHOUSE CONSTRUCTION INC	\$329,585.00
GROATHOUSE CONSTRUCTION, RETAINAGE ACCT	\$17,346.58
HARRIS TRUCKING & CONST., INC.	\$2,269.18
HUMDINGER EQUIPMENT, LTD.	\$18,750.00
IVERSON SANITATION	\$250.00
JOHNSON, DOMINIK	\$100.00
KEELE SANITATION	\$130.00
KENCO SECURITY AND TECHNOLOGY	\$1,120.80
LISAC'S TIRE BILLINGS	\$2,216.56
LONG BUILDING TECHNOLOGIES, INC.	\$136.50

MAIR, RANDY	\$91.08
MASTER'S TOUCH, LLC	\$1,264.58
MONTANA-DAKOTA UTILITIES CO.	\$984.69
MOUNTAIN WEST COMPUTER	\$32.95
MURDOCH OIL, INC.	\$20,187.30
MURDOCH'S RANCH & HOME POWELL	\$232.29
NORTHWEST RURAL WATER DISTRICT	\$165.50
ODDE, HANS	\$273.58
OFFICE SHOP, THE	\$2,194.03
PETERS, BRIAN	\$92.42
PITNEY BOWES, INC. - A/R	\$71.25
PLANET HEADSET	\$354.80
POISON CREEK, INC	\$6,631.07
POWELL ACE HARDWARE, LLC	\$476.40
POWELL CLARKS FORK CONSERVATION DISTRICT	\$1,000.00
POWELL VALLEY HEALTHCARE, INC.	\$4,962.46
POWELL, CITY OF	\$7,012.84
RADAR SHOP, THE	\$1,547.00
RDO EQUIPMENT CO.	\$784.81
ROCKY MOUNTAIN POWER	\$989.54
SAY WHERE STORAGE	\$490.00
SELBYS, INC.	\$112.55
SUBLETTE COUNTY	\$1,284.00
SYSCO FOOD SERVICES OF MONTANA	\$1,814.34
TCT WEST, INC	\$9,093.41
TRACTOR & EQUIPMENT CO	\$1,034.95
ULINE	\$2,255.43
UPS STORE, THE	\$66.29
VISION WEST, INC.	\$10.00
W.A.C.O.	\$250.00
WAL MART COMMUNITY/GEMB	\$703.71
WESTERN COLLISION, INC.	\$166.00
WHITE INK, LLC	\$79.00
WYOMING COUNTY COMMISSIONERS ASSN	\$1,070.00
WYOMING DEPARTMENT OF AGRICULTURE	\$100.00
TOTAL	<u><u>\$607,075.52</u></u>

Jenny Cramer, Planning & Zoning – RE: Sage Creek Subdivision 4th Amended Plat

Ms. Cramer presented an amended plat application for Coker & Charity Haukaas requesting approval for a partial vacation of Lot 7 (4.71-acres) and Lot 8 (4.79-acres). The vacation would create Lot 107 (6.25-acres) and Lot 108 (3.25-acres). Lot 108 is owned by Denise Fink and the property is located 2 miles southeast of Cody in RR-2 zoning. Agency referrals have been met and no public comments received. No public hearing is required. Staff recommends approval with three remaining conditions that were read into the record.

Commissioner Thiel moved to approve as presented with conditions 2 & 3 and eliminating #1, Commissioner Livingston seconded, motion carried. **RESOLUTION 2024-16**

Commissioners – RE: Public Hearing: Precinct Boundary Change and Change Polling Location from Courthouse to Cody Rec. Center for 11-2 Crandall/Sunlight

Chairwoman Overfield opened the public hearing.

Hans Odde, First Deputy County Clerk and Katie Johnson, Elections Deputy presented the change of polling location which would move Precinct 11-2 (Crandall/Sunlight) from the courthouse to the Cody Rec. Center. Seventy-five registered voters will be notified if adopted. Notice of this public hearing was sent to both major parties, published in both newspapers and posted on the official county website.

Chairwoman Overfield called for public comments.

Vincent Vanata spoke on behalf of the Executive Committee of the Republican Party stated the party has no concerns with moving the polling location. The party does have concerns with a letter being sent to prospective voters and including an absentee request form, the party believes voting should occur at the polling location.

Chairwoman Overfield continued with the precinct consolidation portion of the public hearing. Statute states that the board of county commissioners shall be guided

by the interests of the greatest number of electors involved and that districts and precincts shall coincide with the boundary of a municipality or ward therein. Using statute as a guiding principle and seeking uniformity in all municipalities within the county the proposal would create one precinct per city ward in both Powell and Cody.

Within the city of Cody, the following precincts will be combined:

- 2-2 will merge into 2-1 and follow the boundary of Ward 1
- 24-2 and 24-3 will merge into 24-1-1 and follow the boundary of Ward 2
- 25-2 and 25-3 will merge into 25-1 and follow the boundary of Ward 3

Within the city of Powell, the following precincts will be combined:

- 9-2 will merge into 9-1 and follow the boundary of Ward 1
- 9-4 will merge into 9-5 and follow the boundary of Ward 2

The proposed changes will not cause any alterations to any voter's polling location.

Vincent Vanata, representing the Executive Committee, Republican Party spoke in opposition to the precinct boundary changes and combining precincts, the party will lose precincts within those municipalities, and diminish the grass roots representation of the major parties.

There being no further time for comments the public hearing was continued to 2:15 p.m.

Jenny Cramer, Planning & Zoning – RE: Public Hearing: Mendoza Variance

Chairwoman Overfield opened the public hearing.

Ms. Cramer presented application to create a two-lot subdivision from a 4.13-acre parcel consisting of one 2.55-acre lot and one 1.58-acre lot for residential use with a variance from the wastewater and domestic water standards for major subdivisions. Legal notices and agency referrals have been met, not all conditions have been met for this variance. Staff recommends denial, if approved staff recommends the following two conditions which were read into the record.

Chairwoman Overfield called for public comments.

Cody Schatz, Engineering Associates, representing Mendoza, is requesting an on-site wastewater and well for simple and minor subdivisions as it was not originally in a parcel reviewed as a major subdivision.

Donald Hanson commented on the property passing a perk test, only one water tap is available, no water rights, road maintenance, Commissioner Livingston asked Mr. Hanson to pause as those topics are not up for discussion. Chairwoman Overfield stated this variance is to decide whether the landowner needs to go through DEQ or not.

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

After discussion Commissioner Livingston moved to approve the variance, Commissioner Steward seconded, motion carried. **RESOLUTION 2024-17**

Commissioners – RE:

- **Precinct Committee Men/Women Allocation for Election**
- **Adopt Vote Tabulators for All Polling Locations**
- **Election Judge Pay for 2024 Election Cycle**

Mr. Odde requested the decision on allocation of precinct committee persons be moved to 2:15 pm after a decision is made regarding precinct consolidation.

Mr. Odde presented the statute which allows adoptions of vote tabulators for all polling locations. The board of county commissioners of each county may adopt for use, either experimentally or permanently, in any election in any or all polling places within the county, any electronic voting system authorized by law.

As there is only one electronic voting system authorized by law in Wyoming, election staff requested the commissioners make official for the 2024 election cycle the use of the ES&S DS200 and DS450 tabulators.

Commissioners discussed tabulator testing prior to election, post-election audits, overvotes and the correction process if this happens to a voter.

Commissioner Livingston made a motion to adopt use of tabulators as presented for all polling locations, Commissioner Steward seconded, motion carried.

Ms. Johnson presented the wage compensation proposed for election judges per Wy Statute §22-8-116. Staff is proposing to move from itemizing election judge pay

to going to a flat rate of \$155 rather than \$125 for pay and \$30 meal stipends. Pay rate will stay the same for regular election judges, board members, and attending training, mileage will be paid at the county rate. The only change is a \$35 increase for head judges.

Commissioner Livingston moved to approve election pay for the 2024 cycle as recommended by staff, Commissioner Mangold seconded, motion carried.

Commissioners – RE: Park County Commissioner Scholarship Selection

After tallying results from the Board Commissioner Livingston move to grant scholarships to the following three, Kayla Horsen – Meeteetse, Aubree Fisher – Powell, and Kelsey Pomajzl – Cody, Commissioner Steward seconded, motion carried.

Commissioners and Andrea Earhart – RE: Fair Board/Fair Advisory Board Discussion

Chairwoman Overfield stated the fair advisory board over the years has been appointed by the Board of Commissioners. The Commissioners will now make up the official fair board and appoint members to be the advisory to the Commissioners. The allocation of duties, procedures and by-laws with clarifying roles and responsibilities of the five advisory board members and events need to be updated. The budgets for events and fair will also be reviewed.

Debbie Kelly, University Extension Educator – RE: Introduction of Makayla Getz, ANR Educator

Ms. Kelly introduced the new Agriculture & Natural Resource Educator. Ms. Getz shared her background. Ms. Getz hit the ground running by reaching out to the community, getting involved in the Small Acreage Seminar, working with the university on an equine publication and podcasts. The Board welcomed Ms. Getz to the county.

Commissioners – RE: Diamond Spear Pit SUP-256 Decision

Chairwoman Overfield stated the public hearing was closed and this is a continuation of discussion on the Limited Mining Operation compliance with DEQ. After a lengthy discussion on the conditions recommended by staff Commissioner Thiel recommends #'s 3, 4, 8 & 9 be removed, parts 2 & 3 of number 15, 16 & 17 goes with renewal of operation under DEQ, and applicant would need to renew and/or reclaim the site.

Ms. Hill, Planning & Zoning Director made comments to #15 – 2 which was placed as it appears in rules; #17 is the continuation of the SUP.

Commissioner Thiel made a motion to approve the SUP removing condition numbers 3, 4, 8, 9, 15-2 and 15-3, 16 and 17, Commissioner Livingston seconded, Chairwoman Overfield asked for clarification on 15-4, Commissioner Thiel amended his motion to remove 15-4, Commissioner Livingston accepted the amendment, motion carried. **RESOLUTION 2024-18**

Rebekah Burns, Executive Director, Powell Economic Partnership – RE: Lane 17 Project Update

Ms. Burns presented maps showing the route, shared letters of support with collaborating partners some of which are WY Game & Fish, Bureau of Land Management, Bureau of Reclamation, and Heart Mountain Irrigation. Ms. Burns presented statistics on the economic impact for the county as well as the state. On working with partners. The infrastructure (bridge) and access are several topics that need further discussion and where these funds may come from. A work session with all partners might be the logical next step.

Executive Session.

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

Commissioner Thiel moved to exit from executive session, Commissioner Livingston seconded, motion carried.

Commissioner Thiel made a motion to adopt the proposal as discussed and allow the chair to sign, Commissioner Livingston seconded, motion carried.

Commissioners – RE: Public Hearing: Precinct Boundary Change and Change Polling Location from Courthouse to Cody Rec. Center for 11-2 Crandall/Sunlight – continued

Chairwoman Overfield requested those wishing to speak to limit themselves to two minutes. The precinct boundary changes are the topic.

Ann Pasek, Chair Park County Democratic Party spoke in support of the changes in boundaries, absentee and early voting, precinct numbers even though the Democratic party will go from 29 pair to 22 pair and the Republican Party will maintain their 43 pairs.

Leah Tracy, Martin Kimmet, Karen Jones, Nina Weber, Richard Jones, and Nicole Forsberg all spoke in opposition of the changes.

Chairwoman Overfield called for further public comments, there being none Commissioner Livingston moved to close the public hearing, Commissioner Thiel seconded, motion carried.

The Board discussed money saved, number of ballots printed, precinct committee men and women pairs, lines at the polls or reducing the polling locations by consolidating.

Mr. Odde answered, the number of ballots won't change, this isn't necessarily a cost saving measure but is more a matter of efficiency, committee men and women numbers are not affected, lines will remain the same as this change only affects the ballot judges reducing the number of ballot styles the judges will need to look at and is of no convenience to the Clerk but to the election judges.

Commissioner Livingston moved to change polling location for precinct 11-2 to the Rec Center, Commissioner Mangold seconded, motion carried.

Commissioner Steward moved to accept boundary change as defined by staff, Commissioner Livingston seconded, motion carried. **RESOLUTION 2024-19**

Commissioner Livingston moved to approve the precinct committee number changes to 43 pairs for the Republicans and 22 pairs for the Democrats, Commissioner Thiel seconded, motion carried.

Adjourn.

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

Dossie Overfield, Chairwoman

Scott Steward, Vice Chairman

Lee Livingston, Commissioner

Scott Mangold, Commissioner

Lloyd Thiel, Commissioner

Attest:

Colleen Renner, County Clerk