

Board of County Commissioners

Minutes of the Proceedings - Final

Historic Courthouse
310 W 19th Street
Cheyenne, WY 82001



Tuesday, April 2, 2024

3:30 PM

Commissioners Board Room

Roll Call/Call to Order

Present: Chairman Brian Lovett, Vice Chairman Gunnar Malm, Commissioner Linda Heath, Commissioner K. N. Buck Holmes, Commissioner Troy Thompson

Minutes

1. Consideration of the Minutes of Proceedings for March 19, 2024.

[24 - 153](#)

Attachments: [Draft Minutes March 19, 2024](#)

A motion was made by Commissioner Heath, seconded by Commissioner Holmes, that this agenda item be approved. The motion carried by the following vote:

Aye: Lovett, Malm, Heath, Holmes, Thompson

Consent Agenda

Approval of the Consent Agenda

A motion was made by Commissioner Holmes, seconded by Vice Chairman Malm, to approve the Consent Agenda. The motion carried by the following vote:

Aye: Lovett, Malm, Heath, Holmes, Thompson

2. Consideration of an addendum to service agreement between Laramie County, WY, and Rocky Mountain Radiographics, Inc, in the amount of \$8,000 to provide service and preventative maintenance of the portable X-ray machine for the Coroner's office.

[24 - 150](#)

Attachments: [Addendum, Rocky Mountain Radiographics, Inc](#)

This agenda item was approved.

3. Consideration of an appraisal service contract between Laramie County, WY, and Thomas Y Pickett & Co, Inc.

[24 - 171](#)

Attachments: [Appraisal Service Contract, T Y Pickett Co, Inc](#)

This agenda item was approved.

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4. Consideration of the deletion from Public Works fixed asset inventory of a 2003 Ranco dump trailer to be sold.

[24 - 165](#)

Attachments: [Asset Deletion, Public Works, 2003 Ranco](#)

This agenda item was approved.

5. Consideration of four separate agreements between Laramie County, WY, and Laramie County Fire Districts #1, #4, and #10, and the Laramie County Fire Authority to provide an equipment staging area and electricity on an as-needed basis to heat Public Works equipment. The agreements shall remain in full force and effect until June 30, 2024, and automatically renew for successive one year periods.

[24 - 167](#)

Attachments: [Agreement, Fire Dist #1](#)
[Agreement, Fire Dist #4](#)
[Agreement, Fire Dist #10](#)
[Agreement, LCFA](#)

This agenda item was approved.

6. Consideration of the following fees collected by various county entities for Feb 2024: County Clerk, \$107,006.04; Sheriff, \$76,262.52; Clerk of District Court, \$20,577.00; Shooting Sports, \$14,706.92; Planning & Development, \$90,611.68; Public Works, \$4,676.39; Circuit Court, \$44,411.38; DUI Court, \$350.00; Drug Court, \$560.00.

[24 - 154](#)

Attachments: [Feb Fees 2024](#)

This agenda item was approved.

7. Consideration of the following part-time salaries in the amount of \$55,443.24 for March 2024: Planning, \$5,098.42; Shooting Sports, \$8,448.91; Buildings/Maintenance, \$18,957.93; Sheriff Operations, \$5,611.44; Detention, \$14,729.10; District Court, \$335.50; Drug/DUI Courts, \$2,261.94.

[24 - 170](#)

Attachments: [March Part-time Salaries 2024](#)

This agenda item was approved.

Warrants

8. Consideration of warrants in the amount of \$5,273,611.76 for March 2024. [24 - 169](#)

Attachments: [March Warrants 2024](#)

A motion was made by Commissioner Thompson, seconded by Commissioner Holmes, that this agenda item be approved. The motion carried by the following vote:

Aye: Lovett, Malm, Heath, Holmes, Thompson

Proclamations

9. Consideration of a resolution proclaiming April 2024 as Child Abuse Awareness and Prevention Month. [24 - 159](#)

Attachments: [Resolution Proclaiming April 2024 Child Abuse Awareness and Prevention Month](#)

A motion was made by Vice Chairman Malm, seconded by Commissioner Thompson, that this agenda item be approved. The motion carried by the following vote:

Aye: Lovett, Malm, Heath, Holmes, Thompson

Report & Public Petitions

10. Consideration of the acceptance of the reconnaissance report as part of the cooperative agreement between Laramie County, WY, and the WY Dept of Transportation (WYDOT) to outline the terms and conditions by which the county and WYDOT will evaluate Structure No. DPI over Lodgepole Creek on Road 124 between Bridger Dr and Lodgepole Dr in Laramie County. [24 - 166](#)

Attachments: [Reconnaissance Report, WYDOT, Lodgepole Creek DPI](#)

A motion was made by Commissioner Thompson, seconded by Commissioner Holmes, that this agenda item be approved. The motion carried by the following vote:

Aye: Lovett, Malm, Heath, Holmes, Thompson

Resolutions

11. PUBLIC HEARING regarding a resolution changing the boundaries of precinct 1-1, 1-2 and changing the boundaries of 5-2 and 5-3 in order to create a new precinct 5-4 for the municipality of Pine Bluffs, Laramie County, WY, and determining number of precinct committee officers to be elected.

[24 - 152](#)

Attachments: [Resolution, Changing Precinct Boundaries and Precinct Committee Officers to be Elected](#)
[Precinct Committee Officers to be Elected - Revised](#)

County Clerk Debra Lee explained that the resolution is to fix an issue discovered during the 2022 elections and to create a new precinct for the municipality of Pine Bluffs. She said that during the 2022 elections, it was found that there was only one registered voter in 1-1 and WY Constitution guarantees the secrecy of voters' ballots. She also noted that parties could not fill their precinct committee positions under the current configuration. Lee said the resolution will split 1-2 south of I-80 and incorporate that portion into 1-1. She explained 5-4 was being created because the town of Pine Bluffs changed its ordinance to allow municipal elections to be on the county's ballot. Lee reviewed the precinct committee persons allocation and requested for 5-2 to be increased to four and 5-3 to be increased to three, both for the Republican party.

Chairman Lovett opened the hearing for PUBLIC COMMENT. Justin Fornstrom, town of Pine Bluffs Mayor, Taft Love, Laramie County Republican Chairman, Jessica Nyffler, Laramie County Democratic State Committeewoman, supported the changes and lauded the efforts of Clerk Lee.

Hearing no further PUBLIC COMMENT, Chairman Lovett closed the hearing.

A motion was made by Vice Chairman Malm, seconded by Commissioner Thompson, that this agenda item be approved. The motion carried by the following vote:

Aye: Lovett, Malm, Heath, Holmes, Thompson

Contract/Agreement/Leases

12. Consideration of an agreement between Laramie County, WY, and Schlosser Signs, Inc, in an amount not to exceed \$572,356, unless negotiated by both parties in writing. The contractor is to design, manufacture and install a new monument display for the Archer Complex.

[24 - 158](#)

Attachments: [Agreement, Schlosser Signs, Inc](#)

A motion was made by Commissioner Thompson, seconded by Commissioner Holmes, that this agenda item be approved. The motion

carried by the following vote:

Aye: Lovett, Malm, Heath, Holmes, Thompson

- 13.** Consideration of contract modification #3 to the Martin/Martin WY agreement (230516-23) for additional design services required for the Archer sewer connection.

[24 - 172](#)

Attachments: [Modification, Martin/Martin WY](#)

A motion was made by Vice Chairman Malm, seconded by Commissioner Thompson, that this agenda item be approved. The motion carried by the following vote:

Aye: Lovett, Malm, Heath, Holmes, Thompson

License/Permits

Items #14 through #16 were consolidated into one motion.

County Attorney Mark Voss said the reason for the postponement is to address language in the permit application that does not accurately reflect current fireworks regulations. Voss said there will be a resolution at the next meeting to correct the language. He said the regulations are located in the building codes, and the application does not have "as amended" language.

Chairman Lovett opened the hearings for PUBLIC COMMENT.

Dion Custis, attorney and representative for Jurassic Fireworks, spoke on this item. He noted that any delay would cause financial injury to his client because of it being a seasonal permit, and he would like it to proceed as soon as possible. Commissioner Thompson asked about postponing the hearing to the next April 16, 2024 meeting. Custis said his client could manage it if there were no other issues.

Hearing no further PUBLIC COMMENT, Chairman Lovett closed the hearings.

- 14.** PUBLIC HEARING regarding a seasonal fireworks permit submitted by Breanna Elliott, dba Jurassic Fireworks, located at 201 I-25 Service Rd Bldg A.

[24 - 164](#)

Attachments: [Permit, Jurassic Fireworks, 201 I-25 Service Rd Bldg A](#)

A motion was made by Commissioner Thompson, seconded by Commissioner Holmes, to postpone this item until April 16, 2024. The motion carried by the following vote:

Aye: Lovett, Malm, Heath, Holmes, Thompson

15. PUBLIC HEARING regarding a yearly fireworks permit submitted by Phantom Fireworks Showrooms, LLC, located at 227 I-25 Service Rd East.

[24 - 163](#)

Attachments: [Permit, Phantom Fireworks, 227 I-25 Service Rd East](#)

A motion was made by Commissioner Thompson, seconded by Commissioner Holmes, to postpone this item until April 16, 2024. The motion carried by the following vote:

Aye: Lovett, Malm, Heath, Holmes, Thompson

16. PUBLIC HEARING regarding a yearly fireworks permit submitted by Phantom Fireworks Showrooms, LLC, located at 239 I-25 Service Rd East.

[24 - 162](#)

Attachments: [Permit, Phantom Fireworks, 239 I-25 Service Rd East](#)

A motion was made by Commissioner Thompson, seconded by Commissioner Holmes, to postpone this item until April 16, 2024. The motion carried by the following vote:

Aye: Lovett, Malm, Heath, Holmes, Thompson

Bids/Purchases

17. Consideration of a notice of award to Simon Contractors for the County Road 142 Reconstruction project, in an amount not to exceed \$5,189,321.50.

[24 - 168](#)

Attachments: [Notice of Award, Simon Contractors, CR 142 Reconstruction](#)

A motion was made by Vice Chairman Malm, seconded by Commissioner Thompson, that this agenda item be approved. The motion carried by the following vote:

Aye: Lovett, Malm, Heath, Holmes, Thompson

Land Use:Variances/Board App./Plats

18. PUBLIC HEARING regarding a zone change from A1 - Agricultural and Rural Residential to AR - Agricultural Residential for Tract 26 and from A1 - Agricultural and Rural Residential to LR - Low Density Residential for a portion of Tract 31, Montclair Subdivision, Laramie County, WY.

[24 - 151](#)

Attachments: [Montclair Subdivision, 4th Filing, Zone Change](#)

Cate Cundall, Planning, said AVI, PC, on behalf of Stephanie D Teubner, Leonard E Propps, Jr, Richard Leon Shanor, and the Marianne Kunz Shanor Rev Trust submitted an application for a zone change of Tract 26 and a portion of Tract 31, Montclair Subdivision, located at 1535 Tranquility Rd and 1522 McAllister Ln. She said the application was submitted for zone changes from A1 - Agricultural and Rural Residential to AR -Agricultural Residential for Tract 26, Montclair Subdivision, and from A1 - Agricultural and Rural Residential to LR-Low Density Residential for a portion of Tract 31, Montclair Subdivision.

Cundall said based on evidence provided, staff recommends approval of zone changes with the adoption of findings of fact a and b.

Chairman Lovett opened the hearing for PUBLIC COMMENT. Hearing no PUBLIC COMMENT, Chairman Lovett closed the hearing.

A motion was made by Vice Chairman Malm, seconded by Commissioner Heath, to approve the zone change from A1 to AR for Tract 26, Montclair Subdivision, and a zone change from A1 to LR for a portion of Tract 31, Montclair Subdivision, with no conditions. The motion carried by the following vote:

Aye: Lovett, Malm, Heath, Holmes, Thompson

19. Consideration of a motion correction regarding a zone change from A1 - Agricultural and Rural Residential to AR - Agricultural Residential for a parcel in the S1/2 of the NW1/4 of Sect 10, T14N, R66W, of the 6th PM, Laramie County, WY. (Original motion approved on March 19, 2024)

[24 - 155](#)

Attachments: [Adams Zone Change, 8611 Ridge Rd - Correction](#)

Cate Cundall, Planning, said this action comes to the board as old business regarding a zone change for a parcel in the S1/2 of the NW1/4 of Sect 10, T14N, R66W, of the 6th PM, on behalf of Charles Kendall and Carina Nicole Adams. She said the board approved this zone change on March 19, 2024, and it is being brought forward again due to an incorrect legal description in the motion for approval. Cundall said the application was submitted for a zone change from A1 - Agricultural and Rural Residential to AR - Agricultural Residential.

A motion was made by Vice Chairman Malm, seconded by Commissioner Holmes, to approve the zone change from A1 to AR for a parcel in the S1/2 of the NW1/4 of Sect 10, T14N, R66W, of the 6th PM, with no conditions, and adopt the findings of fact a and b of the staff report. The motion carried by the following vote:

Aye: Lovett, Malm, Heath, Holmes, Thompson

- 20.** PUBLIC HEARING regarding a zone change from MR - Medium Density Residential to MU - Mixed Use and CB - Community Business for W1/2 of Tract 99, E1/2 of Tract 99, N1/2 of Tract 100, and S1/2 of Tract 100, Allison Tracts, 3rd Filing.

[24 - 156](#)

Attachments: [McRady Properties, Zone Change](#)

Sonny Keen, Planning, said Steil Survey Services, LLC, on behalf of McRady Properties, submitted a zone change application for Allison Tracts, 3rd Filing, W1/2 of Tract 99, E1/2 of Tract 99, N1/2 of Tract 100, and S1/2 of Tract 100, located at the NW corner of Ave C and E College Dr.

Keen said the application requests zone changes from MR - Medium Density Residential to MU - Mixed Use and CB - Community Business, with the residential home to remain on the S1/2 of Tract 99 being zoned MU. She said the remaining portion will be changed to CB to accommodate surface storage.

Keen said based on evidence provided, staff recommends approval of the zone changes with the adoption of findings of fact a, b and c.

Chairman Lovett opened the hearing for PUBLIC COMMENT. Hearing no PUBLIC COMMENT, Chairman Lovett closed the hearing.

A motion was made by Vice Chairman Malm, seconded by Commissioner Thompson, to approve the zone change from MR – Medium Density Residential to MU – Mixed Use and CB – Community Business for W1/2 of Tract 99, E1/2 of Tract 99, N1/2 of Tract 100, and S1/2 of Tract 100, Allison Tracts, 3rd Filing, with no conditions and adopt the findings of fact a, b and c of the staff report. The motion carried by the following vote:

Aye: Lovett, Malm, Heath, Holmes, Thompson

- 21.** PUBLIC HEARING regarding a subdivision permit and plat for Riatta Flats Subdivision, located on Lot 1, Aspen Hills Subdivision, 1st Filing, Laramie County, WY.

[24 - 157](#)

Attachments: [Riatta Flats, Subdivision Permit and Plat](#)

Cate Cundall, Planning, said Steil Surveying Services, LLC, on behalf of Riatta Holdings, LLC, submitted a preliminary development plan and a subdivision permit and plat application for Riatta Flats Subdivision, located east of 4340 I-80 Service Rd, Burns, WY. She said the application will divide the 50.49 net acre parcel into 10 residential tracts averaging 5.25 acres each.

Cundall said based on evidence provided, staff recommends approval of the subdivision permit and plat with the adoption of findings of fact a and b with one condition.

Chairman Lovett opened the hearing for PUBLIC COMMENT. Hearing no PUBLIC COMMENT, Chairman Lovett closed the hearing.

A motion was made by Vice Chairman Malm, seconded by Commissioner Holmes, to approve the subdivision permit and plat for Riatta Flats Subdivision, and adopt the findings of fact a and b of the staff report with the following condition: A nonadverse DEQ Chapter 23 recommendation is received prior to plat recordation. The motion carried by the following vote:

Aye: Lovett, Malm, Heath, Holmes, Thompson

- 22.** PUBLIC HEARING and consideration of the postponement regarding a solar energy site plan and permit for the Cowboy Solar I & II Project, situated in sects 30, 29, 28, 27, 26, and 35 of T13N, R65W, as well as Sects 26 and 25, T13N, R66W, and Sect 2 of T12N, R65W of the 6th PM, Laramie County, WY.

[24 - 160](#)

Attachments: [Solar Energy Site Plan and Permit, Cowboy Solar I & II Project](#)

Justin Arnold, Planning, said due to the complexity of the project, Planning and Development assigned additional reviewers and a second round of agency reviews is in process. Arnold said the Planning Commission postponed the hearing on March 28, 2024, to allow more agency comments to be addressed.

Arnold said that, given its size, scope, and potential impacts on the community, Planning and Development is recommending the project be postponed until agency reviews are completed and the project has received a recommendation from the Planning Commission as to approval or denial.

Chairman Lovett opened the hearing for PUBLIC COMMENT. Hearing no PUBLIC COMMENT, Chairman Lovett closed the hearing.

A motion was made by Vice Chairman Malm, seconded by Commissioner Thompson, to postpone the hearing on consideration of the solar energy site plan and solar energy permit for the Cowboy Solar I & II Project until such time that: 1) Agency review is complete to the satisfaction of Planning and Development and 2) The Planning Commission has had ample time to review the project materials and make recommendations to the board of county commissioners. The motion carried by the following vote:

Aye: Lovett, Malm, Heath, Holmes, Thompson

- 23.** PUBLIC HEARING regarding a vacation of Lot 3, Block 9, Rolling Hills Estates, 3rd Filing, Laramie County, WY, and a zone change from NB - Neighborhood Business to P - Public for Tract 2, Metzler Park, Laramie County, WY.

24 - 161

Attachments: [Izaguirre and LCFA, Vacation and Zone Change](#)

Bryce Hamilton, Planning, said Steil Surveying, LLC, on behalf of Candido Izaguirre and the Laramie County Fire Authority, submitted administrative plat and zone change applications for property located in the Rolling Hills Estates Subdivision near the intersection of Round Top Rd and Happy Jack Rd. He said the applications ask to vacate Lot 3, Block 9 of Rolling Hills Estates, 3rd Filing, redraw the lot lines, and rezone the resulting northern parcel from NB - Neighborhood Business to P - Public, which would allow a fire station to be built on the property.

Hamilton said based on evidence provided, staff recommends approval of the vacation and the administrative plat with the adoption of findings of fact a and b and approval of the zone change with the adoption of findings of fact c and d.

Chairman Lovett opened the hearing for PUBLIC COMMENT. Hearing no PUBLIC COMMENT, Chairman Lovett closed the hearing.

A motion was made by Commissioner Holmes, seconded by Commissioner Thompson, to approve the vacation of Lot 3, Block 9, Rolling Hills Estates, 3rd Filing, approve the administrative plat known as Metzler Park, approve a zone change from NB to P for Tract 2, Metzler Park and to adopt the findings of fact a, b, c and d of the staff report. The motion carried by the following vote:

Aye: Lovett, Malm, Heath, Holmes, Thompson

The meeting adjourned at 4:36 pm.

CERTIFICATION

I, Debra K. Lee, Clerk of Laramie County, do hereby certify the above to be a true and correct copy of the Minutes of the Proceedings for Tuesday, April 2, 2024.

Approved by : Debra K. Lee, County Clerk

Reviewed by : Brian Lovett, Chairman,
Board of County Commissioners

Reasonable Accommodations

This information is available in alternate forms. If reasonable accommodations are required, contact Laramie County Human Resources at (307) 633-4355 or humanresources@laramiecountywy.gov at least two business days prior to the meeting. Per WS §18-3-516(f), access to county information can be obtained at laramiecountywy.gov.