

Board of County Commissioners

Minutes of the Proceedings - Draft

Historic Courthouse
310 W 19th Street
Cheyenne, WY 82001



Tuesday, November 17, 2020

3:30 PM

Commissioners Board Room

In order to prevent the spread of COVID-19, and until further notice, members of the Board of County Commissioners will practice social distancing and wear masks in accordance with the Laramie County Health Officer Mask Mandate Order which went into effect Nov. 2, 2020.

Roll Call/Call to Order

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

Minutes

1. Consideration of the Minutes of Proceedings for Oct. 20, 2020.

[20 - 519](#)

Attachments: [Draft Minutes Oct. 20, 2020](#)

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

Aye: Malm, Holmes, Heath, Lovett, Thompson

Consent Agenda

Approval of the Consent Agenda

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

Aye: Malm, Holmes, Heath, Lovett, Thompson

2. Consideration of a petition for a tax refund for tax year 2018 for EOG Resources, Inc., on application 18-03 in the amount of \$37.45.

[20 - 497](#)

Attachments: [2018 Tax Refund Petition, EOG Resources, Inc.](#)

This agenda item was approved.

3. Consideration of a resolution recommending the appointment of Thomas Garvie as an Assistant Public Defender in Laramie County, WY, as required by W.S. 7-6-103(f). [20 - 501](#)

Attachments: [Public Defender Appointment, Thomas Garvie](#)

This agenda item was approved.

4. Consideration of the appointment of Cameron Geeting as part-time magistrate of the Circuit Court of the First Judicial District, Laramie County, WY, in accordance with W.S. 5-9-210(b). [20 - 511](#)

Attachments: [Appointment of Magistrate to Circuit Court, Cameron Geeting](#)

This agenda item was approved.

5. Consideration of the official schedule of Laramie County, WY, holidays for 2021. [20 - 518](#)

Attachments: [2021 Holiday Schedule](#)

This agenda item was approved.

6. Consideration of an addendum and agreement between Laramie County, WY, and Synrgo, Inc., for electronic recordings in the Recording Dept. [20 - 504](#)

Attachments: [Addendum and eRecording Agreement, Synrgo, Inc.](#)

This agenda item was approved.

7. Consideration of the following fees collected by various County entities for Sept. 2020: County Clerk, \$172,575.14; Sheriff, \$162,803.13; Clerk of District Court, \$16,738.50; Shooting Sports, \$24,317.90; Planning & Development, \$557,659.40; Circuit Court, \$71,214.00; DUI Court, \$1,260.00; Drug Court, \$675.00. [20 - 520](#)

Attachments: [Sept. Fees 2020](#)

This agenda item was approved.

8. Consideration of the following part-time salaries in the amount of \$35,814.22 for Oct. 2020: Planning, \$500.00; Shooting Sports, \$4,511.65; Events Dept., \$3,151.50; Buildings/Maintenance, \$17,066.70; Sheriff Operations, \$1,687.50; Detention, \$8,096.12; Drug Court, \$800.75. [20 - 521](#)

Attachments: [Oct. Part-time Salaries 2020](#)

This agenda item was approved.

9. Consideration of warrants in the amount of \$2,657,503.30 for Oct. 2020.

[20 - 524](#)

Attachments: [Oct. Warrants 2020](#)

This agenda item was approved.

Report & Public Petitions

10. PUBLIC HEARING regarding a road dedication petition for Laramie St., approximately 1,425 feet more or less, beginning in the NE1/4 SE1/4, Sec. 26, T.14N., R.66W., of the 6th P.M., Laramie County, WY. (Postponed from May 19, July 7, and Sept. 1, 2020 meetings)

[20 - 523](#)

Attachments: [Laramie St. Dedication Petition Viewer Report](#)

Brad Emmons, Planning, gave the viewer's report prepared by David Bumann, Public Works. Chairman Malm noted the petitioner was not able to attend the meeting because of a prior commitment in District Court.

Chairman Malm opened the hearing for PUBLIC COMMENT. Michael Clark, Rick Bruckner, Mark and Trish Morris, Adam Stuart-Walker, and John Welch, residents, were opposed to the proposed dedication of the road. Among the concerns expressed were safety and increased traffic, costs of curb and gutter levied onto the properties, decrease in property values, change in lifestyle, possible annexation by the City of Cheyenne, and persons signing the petition were not residents of the area. Mr. Clark stated the road is currently maintained by a resident and is accessible to emergency vehicles.

Commissioner Holmes asked the residents if they were aware of any notations on their deeds for a road easement. The residents were not aware of any provisions for an easement. Mr. Stuart-Walker said it is his understanding that he owns the property to the middle of the road.

Mr. Emmons said a surveyor should research the records to determine if there are easements for the road. He stated the petitioner did not provide a survey as was requested by the County. Members of the Board expressed concerns about the lack of information from the petitioner.

County Attorney Mark Voss said the petitioner has not provided enough information and there is no accurate description of where the road would be. He outlined the board's options-- accept the petition, which would require a subsequent meeting to determine damages to affected property owners or deny the petition. He stated his recommendation to the Board was to deny the petition.

Commissioner Thompson spoke of the benefits of long-term planning and the potential to bring water and sewer to the properties because the area is subject to the 201 Agreement.

Hearing no further PUBLIC COMMENT, Chairman Malm closed the public hearing. A motion was made by Vice Chairman Holmes, seconded by Commissioner Heath, that this item be denied. The motion carried by the following vote:

Aye: Malm, Holmes, Heath, Lovett, Thompson

Resolutions

11. Consideration of a resolution rescinding a partial burn ban for Laramie County, WY. [20 - 508](#)

Attachments: [Resolution Rescinding Partial Burn Ban](#)

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

Aye: Malm, Holmes, Heath, Lovett, Thompson

12. Consideration of a resolution adopting Connect 2045: Update to the Master Transportation and Future Land Use Plan of PlanCheyenne for Laramie County, WY, and the Cheyenne Urban Area. [20 - 517](#)

Attachments: [Resolution, Adopting Connect 2045](#)
[Master Transportation Plan, Connect 2045](#)

A motion was made by Commissioner Thompson, seconded by Commissioner Lovett, to postpone this item until the Dec. 1, 2020, meeting. The motion carried by the following vote:

Aye: Malm, Holmes, Heath, Lovett, Thompson

Grants

13. Consideration of the ratification of a grant application to the State Loan and Investment Board in the amount of \$50,000 for CARES Act funds for PPE, cleaning/disinfecting supplies, and tele-networking costs. [20 - 499](#)

Attachments: [Grant Application, CARES Act, SLIB](#)

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

Aye: Malm, Holmes, Heath, Lovett, Thompson

14. Consideration of a reimbursement agreement between Laramie County, WY, and the State Loan and Investment Board in the amount of \$50,000 for CARES Act funds for PPE, cleaning/disinfecting supplies, and tele-networking costs. [20 - 515](#)

Attachments: [Reimbursement Agreement, WY SLIB, PPE, Cleaning/Disinfectant Supplies, and Tele-networking](#)

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

Aye: Malm, Holmes, Heath, Lovett, Thompson

15. Consideration of a resolution authorizing the acceptance of a grant award from the Dept. of Justice for a FY20 Bullet-Proof Vest grant in the amount of \$6,421.69 with a 50% match to run through Aug. 31, 2022. [20 - 503](#)

Attachments: [FY20 Bullet Proof Vest Grant, Dept. Of Justice](#)

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

Aye: Malm, Holmes, Heath, Lovett, Thompson

16. Consideration of the ratification of a grant agreement between Laramie County, WY, and the WY Office of Homeland Security for an Emergency Management Performance Grant for COVID-19 supplemental FY20 funds in the amount of \$79,040 with a 50% match to run through June 30, 2021. [20 - 510](#)

Attachments: [FY20 EMPG Agreement, WY Office of Homeland Security](#)

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

Aye: Malm, Holmes, Heath, Lovett, Thompson

17. PUBLIC HEARING and consideration of a resolution authorizing the submittal of a grant and loan program-managed data center application to the WY Business Council on behalf of VMaccel in the amount not to exceed \$2,250,000 over five years. The requested funds will be used for reducing communications and utility costs to encourage employment and private investment by the company in Laramie County, WY. [20 - 514](#)

Attachments: [Resolution, WY Business Council Grant, VMaccel Application](#)

Sandra Newland, Grants, explained the purpose of the public hearing.

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

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

Aye: Malm, Holmes, Heath, Lovett, Thompson

Contract/Agreement/Leases

- 18. Consideration of an addendum between Laramie County, WY, and John Deere-Honnen Equipment Co., to purchase John Deere Construction and Forestry Products. The County shall pay the Contractor a sum not exceeding \$201,495 for delivery of the items described in Attachment B. [20 - 496](#)

Attachments: [Addendum, John Deere-Honnen Equip. Co.](#)

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

Aye: Malm, Holmes, Heath, Lovett, Thompson

- 19. Consideration of an addendum and agreement between Laramie County, WY, and AlSCO Linen and Uniform Rental Svcs. in the biweekly amount of \$109.07 to provide textile rental services to the Public Works Dept. [20 - 498](#)

Attachments: [Addendum and Agreement, AlSCO Linen and Uniform Rental Svcs.](#)

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

Aye: Malm, Holmes, Heath, Lovett, Thompson

- 20. Consideration of an addendum between Laramie County, WY, and PowerDMS to provide a software subscription and professional services, in the amount of \$15,418.14 for the Laramie County Combined Communications. (Postponed from Oct. 20, 2020) [20 - 500](#)

Attachments: [Addendum, PowerDMS](#)

Chuck Trimble, Assistant Director, Combined Communications Center, withdrew the item from consideration. He informed the Board that the Wyoming Association of Risk Management will cover the cost of the services under the Sheriff Dept.'s existing agreement.

This item was withdrawn.

- 21.** Consideration of an amendment to Next Generation 911 System agreement between Laramie County, WY, and Venture Technologies in the amount of \$33,990. [20 - 509](#)

Attachments: [Amendment, Venture Technologies](#)

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

Aye: Malm, Holmes, Heath, Lovett, Thompson

- 22.** Consideration of the ratification of purchase agreement between Laramie County, WY, and Command Sourcing, Inc., to purchase a UVC Robot-M15 for the Sheriff's Dept. in the amount of \$35,806. [20 - 502](#)

Attachments: [Purchase Agreement, Command Sourcing Inc.](#)

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

Aye: Malm, Holmes, Heath, Lovett, Thompson

- 23.** Consideration of an addendum and services agreement between Laramie County, WY, and Betterworks Systems, Inc., to provide training, implementation, and survey services for the Human Resources Dept. in the amount of \$10,956. [20 - 516](#)

Attachments: [Addendum and Services Agreement, Betterworks Systems, Inc.](#)

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

Aye: Malm, Holmes, Heath, Lovett, Thompson

Land Use:Variances/Board App./Plats

- 24.** PUBLIC HEARING regarding Zone Changes from MU - Mixed Use and MR - Medium Density Residential to HR - High Density Residential for Tract 84 and a portion of Tracts 79 & 83, Allison Tracts, 2nd Filing, and Lot 2, Block 1, A & M Subdivision, located in a [20 - 512](#)

portion of the SE 1/4, Sec. 8, T.13N., R.66W. of the 6th P.M., Laramie County, WY.

Attachments: [Cheyenne Prosser Subdivision Zone Change](#)
[Cheyenne Prosser Subdivision Zone Change](#)
[Resolution](#)

Paul Whalen, Planning, said AVI PC on behalf of Prosser Investors LLC, submitted Zone Change and Administrative Subdivision Permit & Plat applications for Cheyenne Prosser Subdivision. The project site, addressed at 318 E. College Dr., consists of four lots located southeast of the S. Greeley Hwy. and E. Prosser Rd. intersection. The applications request zone changes from MU (Mixed Use) and MR (Medium Density Residential) to HR (High Density Residential), and an administrative replat to create one contiguous site from the existing four lots. The applicant proposes developing a multi-family residential facility. The zone change and subdivision processes are the first steps in preparing the site for the anticipated development. The staff report only addresses the zone changes as the administrative replat (lot-line vacation) to create one lot from four will be administratively processed.

Mr. Whalen said based on evidence provided for the zone change requests, staff recommends the Board adopt the findings of fact a and b with one condition: Detailed traffic and drainage studies shall be required at the time of site plan application.

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

A motion was made by Vice Chairman Holmes, seconded by Commissioner Thompson, to approve the Zone Change from MR and MU to HR – High Density Residential for Tract 84, and a portion of Tracts 79 & 83, Allison Tracts, 2nd Filing, and Lot 2, Block 1, A & M Subdivision, Laramie County, WY with one condition, and adopt the findings of fact a and b as shown in the staff report. The motion carried by the following vote:

Aye: Malm, Holmes, Heath, Lovett, Thompson

25. PUBLIC HEARING regarding a Subdivision Permit and Plat for Niobrara Energy Park, 4th Filing, a replat of Lot 2, Block 4, Niobrara Energy Park, of the 6th P.M., Laramie County, WY.

[20 - 513](#)

Attachments: [Niobrara Energy Park, 4th Filing, Subdivision Permit and Plat](#)
[Niobrara Energy Park, 4th Filing, Subdivision Permit and Plat Resolution](#)

Paul Whalen, Planning, said AVI, PC on behalf of 4G Properties LLC, submitted a Subdivision Permit and Plat application for Niobrara Energy Park, 4th Filing, located southwest of E. Allison Rd. and S. College Dr. The application proposes subdividing the

subject property into four industrial use lots.

Mr. Whalen said based on evidence provided for the subdivision permit and plat, staff recommends the Board adopt the findings of fact a and b with no conditions.

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

A motion was made by Commissioner Heath, seconded by Vice Chairman Holmes, to approve the Subdivision Permit and Plat for Niobrara Energy Park, 4th Filing, with no conditions, and adopt the findings of fact a and b of the staff report. The motion carried by the following vote:

Aye: Malm, Holmes, Heath, Lovett, Thompson

26. PUBLIC HEARING regarding a Zone Change from A2 - Agricultural to AR - Agricultural Residential and a Subdivision Permit and Plat for Dan-Aly Heights, a portion of the N1/2 SW1/4, Sec. 9., T.14N., R.65W., of the 6th P.M., Laramie County, WY.

[20 - 522](#)

Attachments: [Dan-Aly Heights Zone Change & Subdivision Permit and Plat](#)
[Dan-Aly Heights Zone Change Resolution](#)
[Dan-Aly Heights Subdivision Permit and Plat Resolution](#)

Marissa Pomerleau, Planning, said Monument Home Builders, Inc., on behalf of EJE Enterprises, LLC, submitted Zone Change and Subdivision Permit & Plat applications for Dan-Aly Heights consisting of five tracts located northeast of the intersection of E. Four Mile Rd. and Westedt Rd. The applications request a zone change from A2 to AR, and to replat the property into five residential-use tracts. Both applications have been combined into one staff report for ease of presentation and discussion, with separate motions required on the two actions.

Commissioner Thompson verified with Cotton Jones, agent for the applicant, that the correct spelling is Dan-Aly Heights instead of Dan-Ali Heights.

Ms. Pomerleau said based on evidence provided for the zone change, staff recommends the Board adopt findings of fact a and b with one condition: Review comments regarding note placement and grammar on the map shall be addressed prior to recordation. Ms. Pomerleau said based on evidence provided for the subdivision permit and plat, staff recommends the Board adopt findings of fact a with one condition: Review comments regarding note placement and grammar on the plat shall be addressed prior to recordation.

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

A motion was made by Commissioner Thompson, seconded by Vice Chairman Holmes, to approve the Zone Change from A2 to AR for a portion of the N1/2 SW1/4, Sect. 9, T.14N., R.67W., of the 6th P.M.,

Laramie County, WY, with one condition, and adopt the findings of fact a and b for the zone change as shown in the staff report. The motion carried by the following vote:

Aye: Malm, Holmes, Heath, Lovett, Thompson

A motion was made by Commissioner Thompson, seconded by Vice Chairman Holmes, to approve the Subdivision Permit and Plat for Dan-Aly Heights with one condition, and adopt the findings of fact a for the subdivision permit & plat as shown in the staff report. The motion carried by the following vote:

Aye: Malm, Holmes, Heath, Lovett, Thompson

The meeting adjourned at 4:58 p.m.

Reasonable Accommodations

This information is available in alternate forms. If reasonable accommodations are required, contact Laramie County Human Resources at (307) 633-4355 or lchr320@laramiecounty.com at least two business days prior to the meeting.