

Board of County Commissioners

Minutes of the Proceedings - Draft

Historic Courthouse
310 W 19th Street
Cheyenne, WY 82001



Tuesday, October 17, 2023

3:30 PM

Commissioners Board Room

Roll Call/Call to Order

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

Minutes

1. Consideration of the Minutes of Proceedings for Oct 3, 2023.

[23 - 482](#)

Attachments: [Draft Minutes Oct 3, 2023](#)

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

Aye: Thompson, Heath, Holmes

Excused: Lovett, Malm

Consent Agenda

Approval of the Consent Agenda

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

Aye: Thompson, Heath, Holmes

Excused: Lovett, Malm

2. Consideration of the second addendum to an agreement between Laramie County, WY, and Capitol Counseling, LLC, modifying agreement (161018-2) and addendum (191015-10) for mental health services and evaluations at the Detention Center. County shall pay \$155/hour for mental health evaluation services and \$55/hour for mental health services upon request and/or as needed for no more than 12 hours per week.

[23 - 475](#)

Attachments: [Addendum, Capitol Counseling, LLC](#)

This agenda item was approved.

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3. Consideration of the ratification of a resolution authorizing acceptance of a grant award from the Dept of Justice for a FY23 Edward Byrne Memorial Justice Assistance Grant in the amount of \$77,820 to run through Sept 30, 2026. The grant funds will benefit the Sheriff's office (\$19,822) and the city of Cheyenne Police Dept (\$57,998). [23 - 480](#)

Attachments: [FY23 Byrne JAG Grant Award, Dept of Justice](#)

This agenda item was approved.

4. Consideration of a legal services agreement between Laramie County, WY, and Remi Bullock to provide representation to indigent parents in accordance with WS 14-3-422(b) and to comply with county's obligation pursuant to WS 14-3-434(b) at a rate of \$100/hour. [23 - 483](#)

Attachments: [Legal Services Agreement, Remi Bullock](#)

This agenda item was approved.

5. Consideration of a catering permit submitted by DeLancey Enterprises, LLC, dba Hell on Wheels Package Liquors, for an event on Oct 21, 2023, at LCCC Pathfinder Bldg. [23 - 487](#)

Attachments: [24-hour Permit, Hell on Wheels Package Liquors, Oct 21, 2023](#)

This agenda item was approved.

6. Consideration of a catering permit submitted by S&W Properties, dba Vino's Wine and Spirits, for an event on Dec 16, 2023, at the Archer Complex. [23 - 481](#)

Attachments: [24-hour Permit, Vino's Wine and Spirits, Dec 16, 2023](#)

This agenda item was approved.

Grants

7. Consideration of an agreement between Laramie County, WY, and the Wyoming Machinery Co in an amount not to exceed \$108,530 for the purchase and installation of four Mastless Snow Wings on existing fleet. [23 - 476](#)

Attachments: [Agreement, Wyoming Machinery Co](#)

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

Aye: Thompson, Heath, Holmes

Excused: Lovett, Malm

Contract/Agreement/Leases

8. Consideration of an agreement between Laramie County, WY, and Sampson Construction Co, Inc, to provide construction services for a new senior activity center. The agreement shall commence on the date of the last signature affixed hereto and remain in full force and effect until substantial completion and the end of the one-year warranty period or until terminated. The time period of construction services shall not be more than Nov 30, 2024. Absent any mutual agreement or change order executed between the parties, the cost shall not exceed \$7,805,000.

[23 - 484](#)

Attachments: [Agreement, Sampson Construction Co, Inc](#)

Ben Hornock, Project Manager, explained that Sampson Construction Co, Inc, was the lowest bidder out of seven bidders. Mr. Hornock noted that Sampson Construction Co, Inc, meets all the qualifications requested in the RFP.

The board thanked Mr. Hornock for his work on this project. Chairman Thompson noted a groundbreaking ceremony will be on Nov 16 or 17.

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: Thompson, Heath, Holmes

Excused: Lovett, Malm

9. Consideration of an agreement between Laramie County, WY, and Priefert in an amount not to exceed \$172,142.22 to provide portable rodeo arena equipment for the Event Center at Archer.

[23 - 489](#)

Attachments: [Agreement, Priefert](#)

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

Aye: Thompson, Heath, Holmes

Excused: Lovett, Malm

Resolutions

10. Consideration of a resolution designating mental health counselor new hires eligible for hiring bonuses.

[23 - 485](#)

Attachments: [Resolution, Hiring Bonuses](#)

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

Aye: Thompson, Heath, Holmes

Excused: Lovett, Malm

11. Consideration of a resolution approving Cowboy Racing, LLC, to conduct parimutuel events within Laramie County, WY, at 1158 Rd 140, Hillsdale, WY.

[23 - 493](#)

Attachments: [Resolution, Cowboy Racing, LLC, Parimutuel Events](#)

Jodi Shea, representing the applicant, presented the resolution. Ms. Shea said to get a permit from the WY Gaming Commission, initial approval is required from the county. Ms. Shea said the resolution differs from ones previously approved by the board that authorized simulcast opportunities at premise locations. Ms. Shea spoke about economic development and job growth for Laramie County.

County Attorney Mark Voss discussed the approval process. He noted the order of approvals was changed to have the applicant come before the Board of County Commissioners first instead of last.

Chairman Thompson opened the meeting for PUBLIC COMMENT. Traci Lacock, general counsel for Wyoming Downs, LLC, questioned the order of the steps. She said usually, the WY Gaming Commission has already permitted a company, and she wanted to make sure what permission is being granted.

Mr. Voss said the resolution is not for off-track betting, only for the live horse track. He noted he has contacted the WY Gaming Commission, and they accept the county's permission as part of the application process.

Scott Homar, representing the applicant, spoke about the process for parimutuel permits. He said Cowboy Racing, LLC, would only be able to do activities defined as parimutuel events once the WY Gaming Commission has issued permits. Mr. Homar said they would like to be able to check the box that the county has approved them.

Mark Sutherland, resident, asked about the impact of tax revenue and jobs in Laramie County. Ryan Clement, Cowboy Racing, LLC, spoke about the opportunity for eastern

Laramie County and the need for rural economic development. He noted this would be a milelong horse track in the state and one of the first in the region. He said they are excited about what it can do for Burns and Albin and future economic development.

Hearing no further PUBLIC COMMENT, Chairman Thompson closed the comment period.

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

Aye: Thompson, Heath, Holmes

Excused: Lovett, Malm

12. Consideration of a resolution giving public notice of Laramie County's intent to amend the 2021 International Residential Code, Section R316.5.10.

[23 - 486](#)

Attachments: [Resolution, Amending the 2021 Int'l Residential Code](#)

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: Thompson, Heath, Holmes

Excused: Lovett, Malm

Land Use:Variances/Board App./Plats

13. PUBLIC HEARING regarding board approval for a mechanic shop located at Rolling Hills Estates, 3rd Filing, Lot 6, Block 8, Laramie County, WY.

[23 - 488](#)

Attachments: [Garrett Board Approval](#)

Justin Arnold, Planning, said Carl Garrett submitted an application for board approval to allow a mechanic shop use of his parcel in Rolling Hills Estates, located at 1995 Treadway Trl, Cheyenne, WY. Mr. Arnold said this type of use is allowed in the A1 zone district only with board approval, and if approved, a site plan would be required.

Mr. Arnold said based on evidence provided, staff recommends approval with the adoption of findings of fact a and b with six conditions: 1) The mechanic shop is approved as the only commercial use of any kind permitted at the property; 2) All work related to the approved use must be contained within the accessory structure; 3) Hours of operation for the approved use shall be no earlier or later than 7 am and 7 pm, respectively; 4) No more than three cars associated with the approved use may

sit idle at the property at any one time, all of which shall be properly screened via solid fencing, walls, hedges, berms, or other county-approved methods as defined in the Laramie County Land Use Regulations; 5) No nuisance, particularly with respect to the unlicensed accumulation of garbage, scrap or salvage materials, debris, waste recyclables, or other junk material, shall be allowed to develop on the property pursuant to its definition in the Laramie County Land Use Regulations; and 6) A site plan in conformance with the Land Use Regulations and the above conditions shall be submitted to Laramie County Planning and Development upon the approval for the use.

Chairman Thompson opened the hearing for PUBLIC COMMENT. Jerilynn Seifert, Sheryl VanPelt, Laura Segal, and Kathie Krempels, residents, made comments. The concerns expressed were about garbage along the fence line, noise, accumulation of vehicles, loss of quality of life, unsightly view, enforcement of the conditions, disposal of waste, the size of lots, and increase in commercial properties.

Mark Sutherland, resident, said if Mr. Garrett was made to clean up his property then other residents should be required to as well, there are other home businesses in the area, there is a need to be good neighbors, and to do what you want on your property within reason if it doesn't reduce property values. Hearing no further PUBLIC COMMENT, Chairman Thompson closed the hearing.

A motion was made by Commissioner Holmes, seconded by Commissioner Heath, to grant board approval on conditions 1 - 6 as outlined in the staff report and adopt findings of fact a and b of the staff report.

Commissioner Heath asked Mr. Garrett about signage and disposal of oil. Mr. Garrett said he would have a 2 x 3 or a 3 x 5 at the drive-in entrance and bigger ones above the shop doors. Mr. Garrett said he places the used oil in tanks, and when full, he has a vendor for disposal of oil. Commissioner Holmes expressed concerns about how the used oil is stored on the property. Mr. Garrett said he would bring the storage up to code.

Commissioner Holmes spoke about the hours of operation and said that 5 or 6 pm would be more appropriate.

A motion was made by Commissioner Holmes, seconded by Commissioner Heath, to change the hours of operation from 7 am to 5 pm.

Chairman Thompson reopened the hearing for PUBLIC COMMENT. Hearing no PUBLIC COMMENT, Chairman Thompson closed the hearing.

The amendment carried by the following vote:

Aye: Thompson, Heath, Holmes

Excused: Lovett, Malm

Chairman Thompson spoke about the comments and photos received. He said the commission needs to look at the neighbors' concerns and if the conditions could alleviate them.

Mr. Arnold explained the process for enforcing conditions through nuisance ordinances. County Attorney Mark Voss spoke about state statutes and ordinances and said the penalty for violations is \$750 per day per violation. Mr. Voss said a complaint would be received, and the nuisance office would investigate the violation. He said if there is a violation, a letter would be sent to resolve the violation; if the issue is not resolved, a memo would be sent to the County Attorney, and then the County Sheriff would issue a citation and a court appearance.

There was a discussion about a condition for excessive noise and limiting the number of vehicles.

A motion was made by Commissioner Heath, seconded by Commissioner Holmes, to allow no more than three unlicensed vehicles. The amendment failed by the following vote:

Aye: Heath
Nay: Thompson, Holmes
Excused: Lovett, Malm

The original motion as amended failed by the following vote:

Aye: Heath
Nay: Thompson, Holmes
Excused: Lovett, Malm

- 14. PUBLIC HEARING** regarding vacation of DiSenso Subdivision (approved Aug 15, 2023), to be effective upon recordation of the administrative plat known as Caroline Acres, situated in a portion of Sect 8, T13N, R66W of the 6th PM, Laramie County, WY.

[23 - 492](#)

Attachments: [Vacation, DiSenso](#)

Bryce Hamilton, Planning, said this action comes to the board as old business regarding a vacation and administrative plat known as DiSenso Subdivision, approved by the board on Aug 15, 2023, and has been returned to the board due to a couple of issues with the plat in its previous form.

Mr. Hamilton said it was determined when the plat was ready for recordation that a DiSenso Subdivision was already in existence in Laramie County. He noted plats are not allowed to have the same name as each other because the legal descriptions of

the resulting parcels would potentially match one parcel to another, and all are meant to be unique. Therefore, the name of the DiSenso subdivision plat in question has been changed to Caroline Acres.

Mr. Hamilton noted the owner also changed the plat to re-add one of the lot lines, resulting in two parcels instead of one, still qualifying it as an administrative plat.

Mr. Hamilton said upon the advice of the County Attorney and County Clerk, all previous iterations of vacations and approved plats will need to be recorded to create a clean record. He said this would result in the vacation of a portion of Allison Tracts, Tract 49, and Lots 1 and 2, Block 1 of O'Brien Subdivision, approval of and prompt vacation of the duplicative DiSenso Subdivision, with the new Caroline Acres immediately laid over the top of it. In order to avoid confusion with the existing DiSenso Subdivision, the duplicative one will reference a specific book and page on the resolution.

Mr. Hamilton said based on evidence provided, staff recommends approval of the vacations and the administrative plats with the adoption of findings of fact a, b and c.

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

A motion was made by Commissioner Holmes, seconded by Commissioner Heath, to adopt the findings of fact a, b, and c of the staff report, to approve the vacation of a portion of the S1/2 of Tract 49, Allison Tracts, and Lots 1 and 2, Block 1, O'Brien Subdivision, approve the administrative plat known as DiSenso Subdivision, approve the vacation of the administrative plat known as DiSenso Subdivision, and to approve the administrative plat known as Caroline Acres. The motion carried by the following vote:

Aye: Thompson, Heath, Holmes

Excused: Lovett, Malm

The meeting adjourned at 5:15 pm.

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. Per WS §18-3-516(f), access to county information can be obtained at laramiecountywy.gov.