

# Board of County Commissioners

## Minutes of the Proceedings - Draft

Historic Courthouse  
310 W 19th Street  
Cheyenne, WY 82001



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**Tuesday, June 5, 2018**

**3:30 PM**

**Commissioners Board Room**

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### Roll Call/Call to Order

Chairman K. N. Buck Holmes, Vice Chairman  
Linda Heath, Commissioner Troy Thompson,  
Commissioner Ron Kailey, and Commissioner  
Amber Ash

### Minutes

1. Consideration of the Minutes of Proceedings for May 15, 2018.

[18 - 205](#)

**Attachments:** [draft minutes May 15.pdf](#)

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

**Aye:** Ash, Heath, Holmes, Kailey, and Thompson

### Consent Agenda

2. Consideration of an agreement with Legal Aid of Wyoming, Inc., to provide legal representation to individuals detained under the involuntary hospitalization process established pursuant to W.S. 25-10-101 et seq., including participation in emergency detention and civil commitment hearings as scheduled. The agreement shall remain in full force and effect until June 30, 2019, and the County shall pay the Contractor \$100 per hour to provide legal services as described in the agreement.

[18 - 171](#)

**Attachments:** [Legal Service Agreement with Legal Aid of Wyoming](#)

This agenda item was approved.

### Approval of the Consent Agenda

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

**Aye:** Ash, Heath, Holmes, Kailey, and Thompson

3. Consideration of amendment #2 to the agreement between the

[18 - 173](#)

Governor's office and Laramie County Microsoft (Project Nephogram)  
Governor's Data Center Recruitment Fund Project.

**Attachments:**    [Nephogram Amendment #2.pdf](#)

This agenda item was approved.

4. Consideration of the trade-in of two 2003 end dump trucks to Peterbilt of Wyoming [18 - 174](#)

**Attachments:**    [Asset Deletion Form](#)

This agenda item was approved.

5. Consideration of an addendum to an agreement between Laramie County Detention Center and Keefe Commissary Network, LLC, to facilitate the ordering of commissary items by inmates. Laramie County will be paid a commission for the services provided under the agreement equal to 35% of adjusted gross sales of commissary items. [18 - 178](#)

**Attachments:**    [Keefe Commissary Services Agreement](#)  
[Keefe Commissary Agreement Attachment A](#)  
[Keefe Commissary Agreement Exhibit A, B, and C](#)

This agenda item was approved.

6. Consideration of the sixth (6) amendment to the agreement for Juvenile Health Care Services between Correctional Healthcare Companies, LLC, and Laramie County. The base annual amount to be paid by the County to CHC under this agreement is \$109,288.68. [18 - 179](#)

**Attachments:**    [Juvenile Health Care Services](#)

This agenda item was approved.

7. Consideration of the sixth (6) amendment to the agreement for Inmate Health Care Services between the Correctional Healthcare Companies, LLC, and Laramie County. The base annual amount to be paid under this agreement is \$1,552,226.04. [18 - 180](#)

**Attachments:**    [Adult Health Care Services](#)

This agenda item was approved.

8. Consideration of a resolution authorizing submittal of a grant application to the Wyoming State Forestry Division from the State Fire Assistance Program to fund the Laramie County fire districts through the Fire Warden for the purchase of water rescue equipment not to exceed \$5,000. [18 - 181](#)

**Attachments:** [SFA Grant Application.pdf](#)

This agenda item was approved.

9. Consideration of malt beverage permits submitted by The Knotty Pine Saloon for the Archer Complex: June 8, 15, 16, 17, and 29; July 6, 13, and 14, 2018; for Frontier Days B Stand on August 4 and 5, 2018. [18 - 183](#)

**Attachments:** [MALT BEVERAGE PERMITS.pdf](#)

This agenda item was approved.

10. Consideration of a contract between the Wyoming Department of Health and Laramie County to fund the Laramie County DUI Court program in the amount of \$258,172.76 with a cash match of \$28,500. [18 - 184](#)

**Attachments:** [DOH-DUI Court-Contract-CA](#)

This agenda item was approved.

11. Consideration of a contract between the Wyoming Department of Health and Laramie County to fund the Laramie County Drug Court in the amount of \$231,390.24 with a cash match of \$36,500. [18 - 185](#)

**Attachments:** [DOH-Drug Court-Contract-CA](#)

This agenda item was approved.

12. Consideration of the following part-time salaries in the amount of \$24,675.68 for May 2018: Planning, \$440.00; Shooting Sports, \$4,362.50; Buildings/Grounds, \$14,247.87; Sheriff Operations, \$325.19; Detention, \$4,510.42; Drug Court, \$789.70. [18 - 186](#)

**Attachments:** [part time salaries.pdf](#)

This agenda item was approved.

13. Consideration of the ratification of a resolution to approve submittal of a grant application to the Department of Justice for the FY18 Bullet Proof Vest grant in the amount of \$6,442.50, with a 50% match (\$6,442.50).

[18 - 196](#)

**Attachments:** [Bullet Proof Vest Resolution](#)

This agenda item was approved.

14. Consideration of an MOU between Laramie County and the City of Cheyenne, City Transit, to provide public transportation services to areas of Laramie County in the amount of \$81,375 beginning July 1, 2018, and ending June 30, 2019.

[18 - 198](#)

**Attachments:** [Transit Program MOU](#)

This agenda item was approved.

15. Ratification of an auction service agreement between Laramie County and Bryan Grzegorzczuk to conduct a live auction for the sale of items/equipment owned by the County.

[18 - 199](#)

**Attachments:** [Auction Service Agreement-Grzegorzczuk](#)

This agenda item was approved.

16. Consideration of the ratification of a resolution to approve submittal of a grant application to the U.S. Department of Justice for an Adult Drug Court discretionary grant program for FY18 in the amount of \$48,356.

[18 - 200](#)

**Attachments:** [Veterans Treatment Court Resolution](#)  
[MOU Veterans Treatment Court.pdf](#)

This agenda item was approved.

17. Consideration of the following fees collected by various County entities for April 2018: County Clerk, \$133,403.08; Planning & Development, \$72,801.91; Drug Court, \$1,128.00; DUI Court, \$1,050.00; Circuit Court, \$62,908.50; Shooting Sports Complex, \$16,120.87; Clerk of District Court, \$12,783.51; Sheriff, \$93,162.58.

[18 - 202](#)

**Attachments:**    [County fees.pdf](#)

This agenda item was approved.

18. Consideration of warrants in the amount of \$5,330,074.43 for May 2018. [18 - 203](#)

**Attachments:**    [warrants for May 2018.pdf](#)

This agenda item was approved.

19. Consideration of a legal service agreement to provide representation to indigent parents in accordance with W. S. 14-3-422(b). Marci Linde will serve as a secondary or initial conflict attorney in these cases. The agreement is effective beginning July 1, 2018 and will remain in full force and effect until June 30, 2019. The County shall pay the sum of \$36,000 in 12 equal installments. [18 - 197](#)

**Attachments:**    [Legal Service Agreement with Marci Linde](#)

This agenda item was approved.

20. Consideration of a renewal of an Engineering Services Agreement between Laramie County and BenchMark Engineers, PC, for fiscal years 2019 and 2020. [18 - 187](#)

**Attachments:**    [BenchMark Eng Services Agreement FY 2019 & 2020](#)

This agenda item was approved.

**Resolution**

21. Consideration of a resolution expressing Laramie County's desire and commitment to facilitating commercial passenger air service at Cheyenne Regional Airport. [18 - 172](#)

**Attachments:**    [air service resolution.pdf](#)  
[revised resolution.pdf](#)

Wendy Volk, representing the Cheyenne Regional Air Focus Team, requested the board adopt the resolution and approve a minimum revenue guarantee to secure new commercial air service. Ms. Volk noted there is a direct link between air service and the economy and cited a recent incident in which a national convention, originally

scheduled for Cheyenne, relocated to Denver due to Cheyenne's lack of air service.

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

**Aye:** Ash, Heath, Holmes, Kailey, and Thompson

- 22.** Consideration of a resolution approving changes to the fees charged for various services and inspections pursuant to W. S. 35-1-305.

**[18 - 175](#)**

**Attachments:** [health department fees.pdf](#)

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

**Aye:** Ash, Heath, Holmes, Kailey, and Thompson

- 23.** Consideration of a resolution to adopt preliminary approval of a collective workers' compensation work plan developed by the Wyoming County Commissioners Association.

**[18 - 176](#)**

**Attachments:** [Resolution-Preliminary Approval Workers' Compensation](#)

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

**Aye:** Ash, Heath, Holmes, Kailey, and Thompson

### **Contract/Agreement/Leases**

- 24.** Consideration of a Notice to Proceed and Agreement between Laramie County and Knife River for Iron Mountain Road Paving and Widening.

**[18 - 194](#)**

**Attachments:** [Knife River Agreement for Iron Mountain Paving and Widening](#)

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

following vote:

**Aye:** Ash, Heath, Holmes, Kailey, and Thompson

- 25.** Consideration of an agreement between Laramie County and FCI Constructors of Wyoming for the pre-construction and construction phase services for the Detention Center HVAC retro-commissioning modifications. [18 - 201](#)

**Attachments:** [FCI Constructors Agreement HVAC Modifications](#)

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

**Aye:** Ash, Heath, Holmes, Kailey, and Thompson

#### **License/Permits**

- 26.** PUBLIC HEARING regarding a yearly fireworks permit application submitted by Phantom Fireworks Showrooms, LLC doing business at 227 I-25 Service Road East, Cheyenne, WY 82007 [18 - 204](#)

**Attachments:** [Phantom yearly fireworks.pdf](#)

Matt Butler, Laramie County Fire Warden, recommended postponing this item since the project has not yet been completed and inspections cannot be made. Chairman Holmes opened the hearing for PUBLIC COMMENT. Hearing no PUBLIC COMMENT, Chairman Holmes closed the hearing.

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

**Aye:** Ash, Heath, Holmes, Kailey, and Thompson

- 27.** PUBLIC HEARING regarding a seasonal fireworks application submitted by Breanna Elliot dba Jurassic Fireworks doing business at Block 2, Lot 7, Terry Park, Cheyenne, Wyoming. (continued from May 15, 2018) [18 - 137](#)

**Attachments:** [Jurassic fireworks seasonal.pdf](#)

Chairman Holmes opened the hearing for PUBLIC COMMENT. Antony Pomerleau,

Chief Building Official, said he has done a preliminary review of the documentation. He stated that inspections have not yet been made because there is nothing to inspect. Vince Frey, agent, asked the Board to postpone this item. Hearing no further PUBLIC COMMENT, Chairman Holmes closed the hearing. **A motion was made** by Commissioner Kailey, seconded by Commissioner Thompson, to postpone this item until June 19. **The motion failed.** Aye: Thompson, Kailey. Nay: Ash, Heath, Holmes. **A motion was made** by Commissioner Thompson, seconded by Commissioner Ash, to deny the application for a seasonal fireworks permit. **A motion was made** by Commissioner Thompson, seconded by Commissioner Ash, **to amend the motion** to include the provision that the application fee will be refunded if the applicant refiles the application.

A motion was made by Commissioner Ash, seconded by Vice Chairman Heath, that the application be denied, and that the application fee will be refunded if the applicant refiles the application. The motion carried by the following vote:

**Aye:** Ash, Heath, Holmes, Kailey, and Thompson

28. PUBLIC HEARING regarding transfer of a retail liquor license to John and Debora O'Grady dba Little Bear Inn located at 1700 I-25 Service Road.

[18 - 193](#)

**Attachments:** [Liquor Lic Transfer Little Bear.pdf](#)

Debra Lee, County Clerk, presented the request for transfer of a retail liquor license for Little Bear due to the change of ownership and stated all requirements have been met. Chairman Holmes opened the hearing for PUBLIC COMMENT. Hearing no PUBLIC COMMENT, Chairman Holmes closed the hearing.

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

**Aye:** Ash, Heath, Holmes, Kailey, and Thompson

## Appointments

29. Consideration of a resolution appointing a member to the Laramie County Library System Board of Directors for a three-year term, beginning July 1, 2018, expiring June 30, 2021.

[18 - 165](#)

**Attachments:** [Library BOD](#)

A motion was made by Vice Chairman Heath, seconded by Commissioner



Ash, that Juliet Daniels be appointed to the Library Board. The motion carried by the following vote:

**Aye:** Ash, Heath, Holmes, Kailey, and Thompson

30. Consideration a resolution appointing two members to the Eastern Laramie County Solid Waste Disposal District for three-year terms, beginning July 1, 2018, and expiring June 30, 2021. [18 - 167](#)

**Attachments:** [ELCSWD BOD](#)

A motion was made by Vice Chairman Heath, seconded by Commissioner Ash, that Kelly Krakow and Greg Saline be appointed to the Eastern Laramie County Solid Waste Board. The motion carried by the following vote:

**Aye:** Ash, Heath, Holmes, Kailey, and Thompson

31. Consideration of resolutions appointing two members to the Cheyenne Laramie County Economic Development Joint Powers Board for five-year terms, beginning July 1, 2018, expiring June 30, 2023. [18 - 168](#)

**Attachments:** [CHEYLCEDJPB](#)

A motion was made by Commissioner Thompson, seconded by Commissioner Ash, that Mike Williams and Dema Jo Gilbert be appointed to the Economic Development Joint Powers Board. The motion carried by the following vote:

**Aye:** Ash, Heath, Holmes, Kailey, and Thompson

32. Consideration of resolutions appointing three members to the Cheyenne Laramie County Joint Powers Board for Frontier Park Improvements for three-year terms, beginning July 1, 2018, expiring June 30, 2021. [18 - 169](#)

**Attachments:** [CHEY LarcoJPB Frontier Park Improvements](#)

A motion was made by Commissioner Kailey, seconded by Commissioner Thompson, that Phil VanHorn, Jerry Jessen, and Ken McCann be appointed to the Joint Powers Board for Frontier Park Improvement. The motion carried by the following vote:

**Aye:** Ash, Heath, Holmes, Kailey, and Thompson

- 33.** Consideration of a resolution appointing a member to the Laramie County Planning Commission for a three-year term, beginning July 1, 2018, expiring June 30, 2021. [18 - 170](#)

**Attachments:** [Larco Planning Commission](#)

A motion was made by Commissioner Thompson, seconded by Commissioner Ash, that Jason Caughey be appointed to the Planning Commission. The motion carried by the following vote:

**Aye:** Ash, Heath, Holmes, Kailey, and Thompson

- 34.** Consideration of a resolution appointing a member to the Board of Directors of Community Action of Laramie County for a five-year term, beginning July 1, 2018, expiring June 30, 2023. [18 - 177](#)

**Attachments:** [Community Action BOD.pdf](#)

A motion was made by Vice Chairman Heath, seconded by Commissioner Thompson, that Barbara Ayers be appointed to the Community Action of Laramie County Board. The motion carried by the following vote:

**Aye:** Ash, Heath, Holmes, Kailey, and Thompson

- 35.** Consideration of resolutions appointing two members to the Laramie County Community Juvenile Services Joint Powers Board for three-year terms, beginning July 1, 2018, expiring June 30, 2021. [18 - 182](#)

**Attachments:** [JuvenileSvcsJPB.pdf](#)

Commissioner Thompson noted that the Joint Powers Board is still looking for another member and the application is on the county website.

A motion was made by Commissioner Thompson, seconded by Commissioner Ash, that Carol Tullio and Richard Berry be appointed to the Community Juvenile Services Joint Powers Board. The motion carried by the following vote:

**Aye:** Ash, Heath, Holmes, Kailey, and Thompson

#### **Land Use:Variances/Board App./Plats**

- 36.** PUBLIC HEARING regarding a Board Approval for the ONEOK Elk [18 - 188](#)

Creek Pipeline for the following location: Approximately 22 miles from the eastern border of Laramie County, parallel to the ONEOK Bakken Pipeline.

**Attachments:**     [ONEOK Elk Creek Pipeline Board Approval](#)

Nancy Trimble, Planning, stated ONEOK Elk Creek Pipeline, LLC, submitted an application for Board Approval for the following location: approximately 22 miles from the eastern border of Laramie County, parallel to ONEOK Bakken Pipeline. Jake Rosenberg, ERM, said the project is an approximately 900 mile, 20-inch diameter natural gas liquids pipeline. The project will originate in Richland County, Montana, and terminate at the existing ONEOK facility near Bushton, Kansas. Phil Saunder, Elk Creek, said they are negotiating with landowners for additional easements and have commitments from 50 percent of landowners. Ms. Trimble said based on evidence provided, staff recommends approval with no conditions. Chairman Holmes opened the hearing for PUBLIC COMMENT. Kevin Miller, International Union of Engineering Operators, said the union is in support of safe pipelines. Hearing no further PUBLIC COMMENT, Chairman Holmes closed the hearing. **A motion was made** by Commissioner Kailey, seconded by Commissioner Heath, to approve the resolution with no conditions and to adopt the findings of fact a and b of the staff report. Commissioner Thompson said he was not comfortable with approving the motion until additional landowners have agreed to easements. **A motion was made** by Commissioner Thompson, seconded by Commissioner Kailey, **to amend** the motion to condition board approval on the acquisition in good faith of 80 percent of right of way in Laramie County as evidenced to the Planning Department.

A motion was made by Commissioner Kailey, seconded by Vice Chairman Heath, that this agenda item be approved as amended with one condition and to adopt the findings of fact a and b of the staff report. The motion carried by the following vote:

**Aye:**                     Ash, Heath, Holmes, Kailey, and Thompson

37. PUBLIC HEARING regarding a Subdivision Permit & Plat for Costalez Ranch Subdivision, located in a portion of the NE1/4, Section 3, T.16N., R.67W., of the 6th P.M., Laramie County, WY.

[18 - 189](#)

**Attachments:**     [Costalez Ranch Subdivision](#)

Brad Emmons, Planning, said the application has been submitted to subdivide a 38.27 acre parcel into five separate tracts ranging in size from 6.5 acres to 10.44 acres. Casey Palma, agent, said the average lot size is 7.5 acres and there are two access points onto the service road. Mr. Emmons said based on evidence provided, staff recommends approval with the adoption of the findings of fact a and with the following two conditions: 1) The legal description in the plat dedication shall be corrected per the County Assessor and County Engineer; 2) Clerical errors on the plat

shall be corrected prior to plat recordation. Chairman Holmes opened the hearing for PUBLIC COMMENT. Hearing no PUBLIC COMMENT, Chairman Holmes closed the hearing.

A motion was made by Commissioner Thompson, seconded by Commissioner Ash, that this agenda item be approved with two conditions and to adopt the findings of fact a of the staff report. The motion carried by the following vote:

**Aye:** Ash, Heath, Holmes, Kailey, and Thompson

- 38.** PUBLIC HEARING regarding a Subdivision Permit & Plat for Hawk's Landing Subdivision, a replat of a portion of Tract 8, Capitol Tracts, Laramie County, WY.

[18 - 190](#)

**Attachments:** [Hawk's Landing Subdivision](#)

Nancy Trimble, Planning, said this application has been submitted to subdivide the property of approximately 4.25 acres into four single-family residential lots. The proposed subdivision is within a mile of the city of Cheyenne and has been approved by City Council. Chris Lovas, AVI, said sewer and water will be provided by South Cheyenne and there will not be any interior roads. Ms. Trimble said based on evidence provided, staff recommends approval with the adoption of findings of fact a and b of the staff report and the following one condition: 1) A final drainage report and plans shall be approved by the County prior to commencement of any construction activity. Chairman Holmes opened the hearing for PUBLIC COMMENT. Hearing no PUBLIC COMMENT, Chairman Holmes closed the hearing.

A motion was made by Commissioner Thompson, seconded by Commissioner Ash, that this agenda item be approved with one condition and to adopt the findings of fact a and b of the staff report. The motion carried by the following vote:

**Aye:** Ash, Heath, Holmes, Kailey, and Thompson

- 39.** Postponement of a public hearing regarding the Subdivision Permit & Plat for Lago Del Norte Subdivision, located in a portion of E1/2 SW1/4 and W 400' of the NW1/4 SE1/4, Section 18, T.15N., R.66W., of the 6th PM, Laramie County, WY.

[18 - 191](#)

**Attachments:** [Lago Del Norte Subdivision postponement](#)

Nancy Trimble, Planning, said this application has been submitted to subdivide the property of approximately 93 acres into 18 single-family residential lots with two open

spaces. Due to concerns from the public, the applicant wishes to postpone this item until the next meeting. Kelly Hafner, CivilWorx, requested this item be postponed until the July 3, 2018, meeting. Chairman Holmes opened the hearing for PUBLIC COMMENT. Hearing no PUBLIC COMMENT, Chairman Holmes closed the hearing.

A motion was made by Commissioner Thompson, seconded by Vice Chairman Heath, that this agenda item be continued to the July 3, 2018, meeting. The motion carried by the following vote:

**Aye:** Ash, Heath, Holmes, Kailey, and Thompson

**The meeting adjourned at 5:23 p.m.**

#### **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, June 5, 2018

Approved by : Debra K. Lee, County Clerk

Reviewed by : K. N. Buck Holmes, Chairman

Board of County Commissioners