

Board of County Commissioners

Minutes of the Proceedings

Historic Courthouse
310 W 19th Street
Cheyenne, WY 82001



Tuesday, May 15, 2018

3:30 PM

Commissioners Board Room

Roll Call/Call to Order

Present: 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 1, 2018.

[18 - 158](#)

Attachments: [draft minutes May 1.pdf](#)

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

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

Consent Agenda

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: Holmes, Heath, Thompson, Kailey, and Ash

2. Consideration of a Development Agreement between Laramie County and the Wyoming Family Home Ownership Program dba My Front Door for \$40,000 under the Community Development Block Grant award from the Wyoming Business Council.

[18 - 132](#)

Attachments: [WYFHOP Development Agreement.pdf](#)

This agenda item was approved.

3. Consideration of a resolution appointing Peter H. Froelicher and David A. Marcum to the Laramie County Canvassing Board.

[18 - 133](#)

Attachments: [appointment canvassing board.pdf](#)

This agenda item was approved.

4. Consideration of a service agreement and addendum between the Laramie County Sheriff's Dept. and Motorola Solutions in the amount of \$52,729.89 for the term of July 1, 2018 to June 30, 2019.

[18 - 135](#)

Attachments: [Motorola Agreement USC000005159](#)

This agenda item was approved.

5. Consideration of a service agreement between Laramie County and Advanced Communications Technology for a term of 60 months in the amount of \$22,109.00.

[18 - 138](#)

Attachments: [Advanced Communications Tech Agreement](#)

This agenda item was approved.

6. Consideration of an agreement between Laramie County and High Plains High Rise for window cleaning services. The agreement shall commence on the date the last signature is affixed and remain in full force and effect until terminated as provided in the agreement. The County shall pay the Contractor \$7,620.00 the first year and \$5,020.00 the second year to provide labor and materials to clean exterior windows, restore windows and frames as described in Attachment A.

[18 - 144](#)

Attachments: [High Plains High Rise Agreement](#)

This agenda item was approved.

7. Consideration of an addendum to the maintenance agreement for the Laramie County Juvenile Service Center for the maintenance and inspection of portable hand-held fire extinguisher, automatic fire sprinkler systems, and the wet chemical kitchen extinguisher system in the amount of \$1,306.70.

[18 - 139](#)

Attachments: [Phoenix Fire Protection \(Juvenile Service Center\)](#)
[Certificate of Liability \(Phoenix Fire\)](#)

This agenda item was approved.

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8. Consideration of an addendum to modify the maintenance agreement for the Laramie County Sheriff's Detention Center for the maintenance and inspection of portable hand-held fire extinguisher, automatic fire sprinkler systems and FM 200 Fire Suppression Systems located in the Detention Center for the amount of \$13, 804.69.

[18 - 140](#)

Attachments: [Phoenix Fire Protection \(Detention Center\)](#)
[Certificate of Liability \(Phoenix Fire\)](#)

This agenda item was approved.

9. Consideration of an agreement for non-attest accounting services between Laramie County and Childress Accounting and Consulting. The term shall commence on the date last executed and remain in full force and effect until June 30, 2019. The County shall pay the Contractor an amount not to exceed \$11, 789.

[18 - 161](#)

Attachments: [Childress Non-Attest Accounting Agreement](#)

This agenda item was approved.

10. Consideration of an agreement between Laramie County and RLR, LLP. for non-attest accounting services. The agreement shall commence on the date last executed and remain in full force and effect until June 30, 2019. The County shall pay the Contractor an amount not to exceed \$16,200.

[18 - 162](#)

Attachments: [RLR Non-Attest Accounting Agreement](#)

This agenda item was approved.

11. Consideration of an agreement between Laramie County and the Cheyenne Animal Shelter (CAS). The purpose of this agreement is to provide funding to CAS for the provision of animal shelter services and animal control services. The agreement is for the term of July 1, 2018 to June 30, 2019. The County agrees to allocate a sum of \$218,400 to be paid in twelve equal monthly installments.

[18 - 163](#)

Attachments: [Animal Shelter & Control Agreement](#)

This agenda item was approved.

Report & Public Petitions

12. Consideration of the "Acceptance of Petition for Establishment, Alteration and/or Vacation of County Highway" pursuant to W.S. 24-3-101 et. seq., or public roads previously dedicated by plat or otherwise and Appointment of Viewer. Petition involves Sections 26, 23, 22, 21, 20 and 19.

[18 - 141](#)

Attachments: [Resolution for Road Petition & Appt. Viewer-Sections 26,23,22,21,20, &19](#)

County Attorney Mark Voss advised the County Commissioners to accept the submitted Petition for Vacation of sections of a County Road as legally sufficient in accordance with requirements of Title 24, and to appoint Public Works Director Rob Geringer as the viewer. The Public Hearing on the matter is scheduled for June 19, 2018, at 3:30 p.m.

A motion was made by Commissioner Thompson, seconded by Commissioner Kailey, that this agenda item be approved and that the director of Laramie County Public Works be appointed as Viewer. The motion carried by the following vote:

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

13. Consideration of the "Acceptance of Petition for Establishment, Alteration and/or Vacation of County Highway" pursuant to W.S. 24-3-101 et. seq., of public roads previously dedicated by plat or otherwise and Appointment of Viewer. Petition involves Sections 35, 34, 33, 32 being a portion of a branch of County Road 20.

[18 - 142](#)

Attachments: [Resolution for Road Petition & Appt. Viewer Sect. 35, 34, 33 & 32](#)

County Attorney Mark Voss advised the County Commissioners to accept the submitted Petition for Vacation of sections of a County Road as legally sufficient in accordance with requirements of Title 24, and to appoint Public Works Director Rob Geringer as the viewer. The Public Hearing on the matter is scheduled for June 19, 2018, at 3:30 p.m.

A motion was made by Commissioner Thompson, seconded by Commissioner Kailey, that this agenda item be approved and that the director of Laramie County Public Works be appointed as Viewer. The motion carried by the following vote:

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

Resolution

14. Consideration of a resolution setting county officials salaries for the years 2019-2022.

[18 - 134](#)

Attachments: [Salaries County Officials.2019-2022](#)

County Attorney Mark Voss explained that Commissioners are required to set salaries for elected officials every four years. There is no change for elected officials' salaries until 2022.

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: Holmes, Heath, Thompson, Kailey, and Ash

Grants

15. Consideration of Attachment E to Amendment One for the Wyoming Malting Loan Agreement to change the payments section of the Non-Recourse Promissory Note.

[18 - 151](#)

Attachments: [WY Malting Non-Recourse Promissory Note.pdf](#)

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: Holmes, Heath, Thompson, Kailey, and Ash

Contract/Agreement/Leases

16. Consideration of an agreement for road dust suppression between Laramie County and Dustbusters, Inc. Contractor is to furnish and apply magnesium chloride on Laramie County roads as directed by the County. The agreement shall commence on the date last executed and shall remain in full force and effect until completion of work as described in the agreement. County shall pay Contractor an amount not to exceed \$125,840.22.

[18 - 143](#)

Attachments: [Dustbusters Road Dust Suppression Agreement](#)

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: Holmes, Heath, Thompson, Kailey, and Ash

17. Consideration of a memorandum of understanding between the Laramie County Fair and Laramie County in regard to the financing and construction of the 6th Penny Multi-Purpose Building.

[18 - 166](#)

Attachments: [MOU with Fair for Financing of the Multi-Purpose Building](#)

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: Holmes, Heath, Thompson, Kailey, and Ash

18. Consideration of 1) A substitution of page 1 of the agreement between Laramie County, Wyoming and FCI Constructors for the Preconstruction and Construction Phase Services for the Detention Center Phase II Expansion, which reflects the now agreed upon "guaranteed maximum price" (GMP); 2) Addendum #1 to the Detention Center Phase II Expansion, consisting of twenty-two (22) pages, providing the appropriate details in regard to the GMP.

[18 - 164](#)

Attachments: [FCI Substitution of Page 1 & Addendum #1-Detention Center](#)

Ben Hornok, Owners' Representative, stated the agreement ensures Laramie County is within budget on the project, based on the amount approved by voters.

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

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

License/Permits

19. PUBLIC HEARING to consider the following liquor license applications for 2018-2019: Little Bear Inn, Retail Liquor License; Travel Centers of America, County Retail Liquor License; High Plains Pizza Inc., Restaurant Liquor License; Cheyenne Shrine Club, Fraternal Club; Outlaw Saloon, Retail Liquor License; Terry Bison Ranch, Retail Liquor License; Moose Lodge, Fraternal Club; Town & Country Supermarket Liquors, Retail Liquor License; The Den Gentleman's Club, Retail Liquor License; VFW Post 4343, Veteran's Club; T-Joe's Bar & Lounge, Retail Liquor License; Tumbleweed Bar, Retail Liquor License; Forum 619, Social Club; Little American Hotel, Retail Liquor License; Bhagat LLC, Antelope Truck Stop, County Retail Liquor License; Kartar, LLC, Antelope Truck, Retail Liquor License; Bunkhouse Bar, Retail Liquor License; Tortilla Factory, Bar & Grill; Race Day Makers, LLC, Events Center. [18 - 147](#)

Attachments: [liquor license.pdf](#)

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

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

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

20. PUBLIC HEARING regarding a yearly fireworks application submitted by Ben Laws dba Pyro City Fireworks located at 245 I-25 Service Road, Cheyenne, Wyoming. [18 - 146](#)

Attachments: [yearly pyro fireworks I-25 Service Road.pdf](#)

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: Holmes, Heath, Thompson, Kailey, and Ash

21. PUBLIC HEARING regarding a seasonal fireworks permit submitted by Ben Laws dba Fireworks Outlet located at 207 South Greeley Highway, Cheyenne, Wyoming. [18 - 148](#)

Attachments: [seasonal fireworks permits Pyro 207 South Greeley Hwy](#)

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

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

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

22. PUBLIC HEARING regarding a seasonal fireworks permit submitted by Ben Laws dba Pyro City Fireworks located at 3115 West College Drive, Cheyenne, Wyoming.

[18 - 149](#)

Attachments: [pyro city fireworks West College Drive.pdf](#)

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

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

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

23. PUBLIC HEARING regarding a seasonal fireworks permit submitted by Ben Laws dba Fireworks Outlet located at 251 I-25 Service Road, Cheyenne, Wyoming.

[18 - 150](#)

Attachments: [seasonal fireworks Fireworks Outlet 251 I-25 Service Road.pdf](#)

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

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

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

24. PUBLIC HEARING regarding a new seasonal fireworks permit application for Breanna Elliott dba Jurassic Fireworks located at Block 2, Lot 7, Terry Park. (continued from May 1 meeting)

[18 - 159](#)

Attachments: [seasonal fire works permit Elliott.pdf](#)

Brad Emmons, County Planning, said the temporary use site permit has been sent for review by the agencies. Rob Geringer, Public Works director, said the building department needs a complete application for the membrane structure building permit. Commissioner Ash said the applicant needs to contact the Building Department to address any missing information, get the approval of the Building Department, secure the necessary inspections, and then come to the Commission for consideration of the fireworks permit.

A motion was made by Commissioner Thompson, seconded by Commissioner Ash, that this agenda item be continued to the June 5, 2018, meeting. The motion carried by the following vote:

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

Bids/Purchases

25. Notice of Award to JTL Group, Inc. dba Knife River for the construction of the Iron Mountain Road paving and widening.

[18 - 160](#)

Attachments: [Notice of Award-Iron Mountain Paving Project](#)

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: Holmes, Heath, Thompson, Kailey, and Ash

Land Use:Variances/Board App./Plats

26. PUBLIC HEARING regarding a Subdivision Permit and Plat for Prairie Sunset Subdivision, 3rd Filing, a replat of Tracts 1 and 3, Prairie Sunset Subdivision, 1st Filing, Laramie County, WY.

[18 - 152](#)

Attachments: [Prairie Sunset 3rd Filing Subdivision](#)

Brad Emmons, Planning, said the purpose of the application is to create four single-family residential lots. Mr. Emmons, said based on evidence provided, staff recommends approval. Chairman Holmes opened for PUBLIC COMMENT. Hearing no PUBLIC COMMENT, Chairman Holmes closed the hearing.

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

Heath, that this agenda item be approved with no conditions and to adopt the findings of fact a and b of the staff report. The motion carried by the following vote:

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

27. PUBLIC HEARING regarding a Subdivision Permit and Plat for Jones Tracts, situated in a portion of the E1/2 SE1/4 SE1/4 of Section 10, T. 15 N., R.63 W., of the 6th P.M., Laramie County, WY

18 - 153

Attachments: [Jones Tracts Subdivision](#)

Brad Emmons, Planning, said the purpose of this application is to subdivide the property into two residential tracts averaging 9.96 acres per tract. Mr. Emmons said based on the evidence provided, staff recommends approval. 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 approved with no conditions and to adopt the findings of fact a and b of the staff report. The motion carried by the following vote:

Aye: Holmes, Heath, Thompson, and Ash

Nay: Kailey

28. PUBLIC HEARING regarding a Zone Change from A1 (Agricultural and Rural Residential) to AR (Agricultural Residential) for Tract 9, Archer Estates 2nd Filing, Laramie County, WY.

18 - 154

Attachments: [Archer Estates 2nd Filing Zone Change](#)

Brad Emmons, Planning, said the purpose of this application is for a zone change from A1 to AR that will allow a reduction in the minimum lot size requirement from 10 acres to five acres for the proposed subdivision of three residential tracts averaging 6.83 gross acres. Mr. Emmons said based on evidence provided, staff recommends approval. Chairman Holmes opened the hearing for PUBLIC COMMENT. Hearing no PUBLIC COMMENT, Chairman Holmes closed the hearing.

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

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

29. PUBLIC HEARING regarding a Subdivision Permit and Plat for Archer Estates 5th Filing, a replat of Tract 9, Archer Estates 2nd Filing, Laramie County, WY.

18 - 155

Attachments: [Archer Estates 5th Filing Subdivision approved resolution.pdf](#)

Brad Emmons, Planning, said this purpose of the application is to subdivide the property into three residential lots averaging 6.83 gross acres. Mr. Emmons said based on evidence provided, staff recommends approval. 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 approved with condition #1 and to adopt the findings of fact a and b of the staff report. The motion carried by the following vote:

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

30. PUBLIC HEARING regarding a Subdivision Permit and Plat for Woods Landing Estates, 2nd Filing, a replat of Tract 1, Woods Landing Estates, Laramie County, WY.

18 - 156

Attachments: [Woods Landing 2nd Filing Subdivision](#)

Brad Emmons, Planning, said the purpose of this application is to vacate the easements traversing the south portion of Tract 1 in the 1st Filing. Mr. Emmons said based on evidence provided, staff recommends approval. 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 no conditions and to adopt the findings of fact a and b of the staff report. The motion carried by the following vote:

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

31. PUBLIC HEARING regarding a Subdivision Permit and Plat for WYTAH Farm Estates, situated in a portion of the SE 1/4, Section 25, T.14N., R.62W., of the 6th P.M., Laramie County, WY.

18 - 157

Attachments: [WYTAH Farms Estates Subdivision](#)

Brad Emmons, Planning, said the purpose of the application is to subdivide an approximately 5.87 acre parcel for the existing residential use from the larger (160 acre) agricultural property. Mr. Emmons said based on evidence provided, staff recommends approval. Casey Palma, Steil Surveying, agent for the applicant, noted that the owner is WYTAH Farm Estate, not "Estates" plural. County Attorney Mark Voss stated that plural "Estates" is a scribner's error that can be administratively resolved. 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 Thompson, that the subdivision permit and plat for WYTAH Farm Estate be approved and to adopt the findings of fact a and b of the staff report. The motion carried by the following vote:

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

The meeting adjourned at 4:56 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, May 15, 2018.

Approved by : Debra K. Lee, County Clerk

Reviewed by : K. N. Buck Holmes, Chairman

Board of County Commissioners

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.