

# Board of County Commissioners

## Minutes of the Proceedings - Draft

Historic Courthouse  
310 W 19th Street  
Cheyenne, WY 82001



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**Tuesday, October 18, 2022**

**3:30 PM**

**Commissioners Board Room**

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### Roll Call/Call to Order

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

### Minutes

1. Consideration of the Minutes of Proceedings for Oct 4, 2022.

[22 - 621](#)

**Attachments:** [Draft Minutes Oct 4, 2022](#)

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, Lovett, Heath, Holmes, Malm

### Consent Agenda

#### Approval of the Consent Agenda

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

**Aye:** Thompson, Lovett, Heath, Holmes, Malm

2. Consideration of the ratification of a catering permit submitted by DeLancey Enterprises, LLC, dba Hell on Wheels Package Liquors, for an event on Oct 18, 2022 at Hereford Ranch.

[22 - 607](#)

**Attachments:** [24-hour Permit, Hell on Wheels Package Liquors, Oct 18, 2022](#)

This agenda item was approved.

3. Consideration of a subaward agreement between WY Dept of Transportation and Laramie County, WY, in the amount of \$6,000 for a FFY23 Highway Safety Program to purchase radar equipment; grant award to run through Sept 30, 2023.

[22 - 600](#)

**Attachments:** [FFY23 HSP Subaward Agreement, WYDOT, Radar Equipment](#)

This agenda item was approved.

4. Consideration of a subaward agreement between WY Dept of Transportation and Laramie County, WY, in the amount of \$2,500 for a FFY23 Highway Safety Program for an occupant protection high visibility overtime enforcement grant to run through Sept 30, 2023. [22 - 602](#)

**Attachments:** [FFY23 HSP Subaward Agreement, WYDOT, Seat Belt Enforcement](#)

This agenda item was approved.

5. Consideration of a subaward agreement between WY Dept of Transportation and Laramie County, WY, in the amount of \$9,927 for a FFY23 Highway Safety Program for an impaired driving high visibility overtime enforcement grant to run through Sept 30, 2023. [22 - 603](#)

**Attachments:** [FFY23 HSP Subaward Agreement, WYDOT, DUI](#)

This agenda item was approved.

6. Consideration of the ratification of a resolution authorizing submission of a grant application to the USDA Forest Service for a Community Wildfire Defense grant to update and expand the Laramie County Community Wildfire Protection Plan in the amount of \$175,000 with a cash match of \$17,554. [22 - 611](#)

**Attachments:** [Grant Application, USDA Forest Service, CWDOG](#)

This agenda item was approved.

7. Consideration of an agreement between Laramie County, WY, and Absolute Solutions, Inc in an amount not to exceed \$39,195 for siren maintenance and installation services. [22 - 610](#)

**Attachments:** [Agreement, Absolute Solutions, Inc](#)

This agenda item was approved.

## Report & Public Petitions

8. Consideration of an amendment to the PlanCheyenne Future Land Use Map and Transportation Map Amendment, proposed High Plains Business Park comprehensive plan amendment, for an area to be annexed into the City between I-25 and Division Ave, south of College Dr. [22 - 618](#)

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**Attachments:** [I-25 and Division Ave, south of College Dr Amendment, Proposed High Plains Business Park Comprehensive Plan Amendment](#)

Justin Arnold, Planning, said the Comprehensive Plan for the City of Cheyenne requires that any proposed amendment goes to Laramie County for review and comment. The comprehensive plan amendment changes the future land use map for an area to be annexed into the city between I-25 and Division Ave, south of College Dr. Mr. Arnold said the purpose is to facilitate development of High Plains Business Park. Most of the transportation network amendment covers largely undeveloped land within county jurisdiction. The two amendments tied to the comprehensive plan are to guide the City of Cheyenne for an area to be annexed and subdivided.

Mr. Arnold said Planning staff is satisfied with the process and outcome of the future land use amendment to the city's Comprehensive Plan. However, Planning staff is unsatisfied with the process of the transportation network amendment to the plan. Mr. Arnold said staff expressed concerns about the lack of communication and opportunity to provide input to the Metropolitan Planning Organization (MPO), of which both Laramie County and the City of Cheyenne are partners. He said neither County Planning nor Public Works were notified or invited to participate in MPO discussions about the transportation network amendment, which covers some eight square miles of county jurisdiction and abuts multiple existing county developments. He further noted that developing a network amendment without advice and comment from the county can cause problems.

Commissioner Malm underscored the need for consultation and collaboration among the city, county and MPO. Mr. Arnold proposed holding monthly meetings between the City of Cheyenne and County Planning departments so both entities are on the same page.

Seth Lloyd, City Planning, acknowledged communication breakdowns and information not provided to county staff in a timely manner and said he will ensure it does not happen again. Mr. Lloyd said the land use amendment is to change zoning from urban and mixed-use residential to mixed-use employment. He noted the mixed-use employment development patterns will likely decrease traffic.

Commissioner Malm questioned if the project would impact Wallick Rd. Mr. Lloyd said the project would extend the rights-of-way and improve service to Wallick Rd and Division Ave. Commissioner Health talked about the inconsistency in the width of the road. Mr. Lloyd said he would review the road widths and a revised plat map will show the correct width for the entire project.

Commissioner Holmes asked if the city will be responsible for funding the majority of the project. Tom Mason, MPO, said responsibility for building High Plains Rd needs to be worked out, with part done by the developer and some through potential grants.

Charles Bloom, City Planning, said the city intends to maintain the roads. He noted the eastern 100-acre part adjacent to Division Ave would be open and natural space. He said that rights-of-way for Division Ave is shown as a collector and an 80-ft right-of-way width. He acknowledged the different road widths and said they will look at adding the appropriate right-of-ways to bring it up to standards.

Chairman Thompson opened the meeting for PUBLIC COMMENT. Hearing no PUBLIC COMMENT, Chairman Thompson closed the comment period.

This report was received and filed.

## Resolutions

9. Consideration of a resolution approving Wyoming Horse Racing, LLC to conduct pari-mutuel wagering on live horse racing, historic horse racing, simulcast events and rodeo events at 6421 Speer Rd, Cheyenne, Laramie County, WY. [22 - 620](#)

**Attachments:** [Resolution, Wyoming Horse Racing, LLC, Pari-Mutuel Wagering](#)  
[Letter, Holland & Hart, RE:Wyoming Horse Racing, LLC](#)

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

**Aye:** Thompson, Lovett, Heath, Holmes, Malm

10. Consideration of a resolution authorizing establishment election in the matter of the proposed Bear Paw North Improvement and Service District. [22 - 622](#)

**Attachments:** [Resolution, Establishment Election, Proposed Bear Paw North I&S District](#)

Mark Voss, County Attorney, spoke about the time limits set in statute and when the election can occur and it would have to wait for 90 days because of the filing period. Mr. Voss said the election will be by mail ballot after the first of the year.

William Haifley, applicant, expressed his concerns about additional delays in getting the application processed and his concerns about another 90 days to have the election. He said the application was filed in April. He noted there is 100% support from the community for creating the district.

Dale Davis, County Clerk's office, noted the various steps for formation, which included a review of the petition, public hearing and protest period. He noted the process is lengthy and this is the final step to direct the County Clerk to conduct an election.

Chairman Thompson asked Mr. Haifley to discuss the election process with the County Clerk.

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

**Aye:** Thompson, Lovett, Heath, Holmes, Malm

11. Consideration of a resolution rescinding stage one fire restrictions for Laramie County, WY.

[22 - 615](#)

**Attachments:** [Resolution, Rescinding Stage One Fire Restrictions](#)

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

**Aye:** Thompson, Lovett, Heath, Holmes, Malm

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

12. Consideration of a cooperative agreement between Laramie County, WY, and the Wyoming Dept of Transportation (WYDOT) to outline the terms and conditions by which the County and WYDOT will evaluate Structure No. DPI over Lodgepole Creek in Laramie County as shown on Exhibit A-Location Map.

[22 - 606](#)

**Attachments:** [Cooperative Agreement, WYDOT, Lodgepole Creek DPI](#)

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, Lovett, Heath, Holmes, Malm

13. Consideration of an addendum between Laramie County, WY, and Wyoming Machinery Co to assist Laramie County with Caterpillar parts only kits for filter replacement and SOS services as needed under the terms of the Customer Value Agreement as described in attachment A.

[22 - 601](#)

**Attachments:** [Addendum, Wyoming Machinery Co](#)

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

**Aye:** Thompson, Lovett, Heath, Holmes, Malm

- 14.** Consideration of the ratification of a memorandum of understanding regarding sixth penny funds between Laramie County, WY, the City of Cheyenne and the Cheyenne Airport Board. The purpose of the MOU is to transfer funds approved by the voters of Laramie County in the 2021 6th Penny Election. Specifically, the funds to be transferred are described in Proposition 6 as follows: "\$823,361.40 to Laramie County and the City of Cheyenne for Cheyenne Regional Airport parking lot". The Cheyenne Airport Board agrees to accept stewardship of all funds required for the project.

[22 - 605](#)

**Attachments:** [MOU, City of Cheyenne and Airport Board, 6th Penny Funds](#)

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

**Aye:** Thompson, Lovett, Heath, Holmes, Malm

- 15.** Consideration of the ratification of an addendum between Laramie County, WY, and Guardian Alliance Technologies, Inc to assist the Sheriff's Dept. with a cloud-based software platform for use by law enforcement agencies in performing employment-related background investigations as described in attachment A.

[22 - 604](#)

**Attachments:** [Addendum, Guardian Alliance Technologies, Inc](#)

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

**Aye:** Thompson, Lovett, Heath, Holmes, Malm

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

- 16.** PUBLIC HEARING regarding a Zone Change from AR - Agricultural Residential to CB - Community Business for Sunset Tracts, 3rd Filing, Tracts 7 & 8, less the east 15' of Tract 8 to State Hwy, plus 1.68 acres vacated with Longhorn Rd Adjacent, Laramie County, WY.

[22 - 616](#)

**Attachments:** [Eldon Stellpflug Revocable Trust, Zone Change](#)

Mason Schuricht, Planning, said AVI, PC, on behalf of the Eldon Stellpflug Revocable Trust, submitted a zone change application for Sunset Tracts, 3rd Filing, Tract 7 and a portion of Tract 8, located at 8908 Yellowstone Rd. The application is for a zone change from AR - Agricultural Residential to CB - Community Business to allow for continuation of an existing landscaping business along with indoor and outdoor commercial storage.

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

Chairman Thompson opened the hearing for PUBLIC COMMENT. Doug Selby, member of the King of Glory Lutheran Church, spoke about adding conditions to the zone change. He said he supports what the applicant is planning but noted he would like to see an enclosed storage area. Mr. Selby spoke about a GIS mapping or deed error regarding the vacation of Longhorn Rd. Kelly Schroeder, AVI and agent for the applicant, said that the application's legal description came from the County Assessor. She said both Mr. Selby and Mr. Stellflug understand who owns which property, but the deeds may not match the county's GIS system. She said they could rectify the issue by having each party record new deeds. Hearing no further PUBLIC COMMENT, Chairman Thompson closed the hearing.

The Board discussed approving the zone change or having deeds recorded first to clean up ownership of the portion of the vacated road. Ms. Schroeder agreed to postpone the zone change until land ownership is corrected. Chairman Thompson asked if conditions requested by the church to exclude adult entertainment establishments, bars, cocktail lounges and liquor stores could be addressed.

A motion was made by Commissioner Holmes, seconded by Commissioner Heath, to postpone this agenda item until Nov 1, 2022. The motion carried by the following vote:

**Aye:** Thompson, Lovett, Heath, Holmes, Malm

- 17. PUBLIC HEARING regarding a Subdivision Permit and Plat for Peight Estates, located in a portion of the E1/2 of Sect 4, T12N, R65W, of the 6th PM, Laramie County, WY.

[22 - 617](#)

**Attachments:** [Peight Estates, Subdivision Permit and Plat](#)

Michael Surface, Planning, said Steil Surveying, on behalf of Jesse Peight provided a Subdivision Permit and Plat application for Peight Estates, a subdivision located on the south side of Chalk Bluffs Rd. The application was submitted to subdivide 40 acres into four residential tracts at 10 acres each.

Mr. Surface said based on evidence provided, staff recommends approval of the subdivision permit and plat with the adoption of findings of fact a.

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

A motion was made by Commissioner Malm, seconded by Commissioner Holmes, to approve the subdivision permit and plat for Peight Estates and adopt the finding of fact a of the staff report. The motion carried by the following vote:

**Aye:** Thompson, Lovett, Heath, Holmes, Malm

**The meeting adjourned at 4:55 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](mailto:lchr320@laramiecounty.com) at least two business days prior to the meeting.