

# Board of County Commissioners

## Minutes of the Proceedings - Final

Historic Courthouse  
310 W 19th Street  
Cheyenne, WY 82001



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**Tuesday, April 15, 2025**

**3:30 PM**

**Commissioners Board Room**

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### Roll Call/Call to Order

**Present:** Chairman Gunnar Malm, Vice Chairman Troy Thompson, Commissioner Linda Heath, Commissioner Don Hollingshead, Commissioner Ty Zwonitzer

### Minutes

1. Consideration of the Minutes of Proceedings for April 1, 2025.

**[25 - 145](#)**

**Attachments:** [Draft Minutes April 1, 2025](#)

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

**Aye:** Malm, Thompson, Heath, Hollingshead, Zwonitzer

### Consent Agenda

#### Approval of the Consent Agenda

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

**Aye:** Malm, Thompson, Heath, Hollingshead, Zwonitzer

2. Consideration of an addendum between Laramie County, WY, and Clarity Telecom, LLC, dba Bluepeak, in the amount of \$31,600 to provide internet service at the Laramie County Senior Services Center, 4100 E Pershing Blvd.

**[25 - 158](#)**

**Attachments:** [Addendum, Bluepeak](#)

This agenda item was approved.

3. Consideration of an addendum between Laramie County, WY, and Rocky Mountain Reserve, LLC, to service the county's employee benefit programs, specifically the cafeteria plan, i.e., health flexible spending account and dependent care account flexible spending account. [25 - 151](#)

**Attachments:** [Addendum, Rocky Mountain Reserve, LCC Business Associated Agreement, Rocky Mountain Reserve, LLC Services Agreement, Rocky Mountain Reserve, LLC](#)

This agenda item was approved.

4. Consideration of an addendum between Laramie County WY, and TRANE US, Inc, in the amount of \$5,182 to replace fan unit at Laramie County Public Health, 100 Central Ave. [25 - 156](#)

**Attachments:** [Addendum, TRANE US, Inc, 100 Central Ave](#)

This agenda item was approved.

5. Consideration of an addendum between Laramie County WY, and TRANE US, Inc, in the amount of \$14,073.21 to provide service and repair to the chiller system at 2020 Carey. [25 - 157](#)

**Attachments:** [Addendum, TRANE US, Inc, 2020 Carey](#)

This agenda item was approved.

6. Consideration of a catering permit submitted by S&W Properties, LLC, dba Vinos Wine and Spirits, for an event on April 25, 2025, at the Archer Complex. [25 - 144](#)

**Attachments:** [24-hour Permit, Vinos Wine and Spirits, April 25, 2025](#)

This agenda item was approved.

## Resolutions

Chairman Malm announced he had a conflict of interest with agenda item #7.

7. Consideration of a resolution approving Wyoming Downs, LLC, to transfer permit location to conduct parimutuel wagering on live horse racing, historic horse racing, and simulcast events at 3307 E Nationway, Cheyenne, WY. [25 - 155](#)

**Attachments:** [Resolution, Wyoming Downs, LLC, Parimutuel Wagering](#)

County Attorney Mark Voss and Traci Lacock, the applicant's general counsel, requested that the permit be transferred from 3617 Lincolnway to 3307 Nationway. Voss advised that everything is in order with the request. Lacock said the license will

still be used at the old location until renovations are completed and the new facility, which will be similar in size and operation to the current location, is open.

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

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

**Aye:** Thompson, Heath, Hollingshead, Zwonitzer

**Recused:** Malm

### License/Permits

8. PUBLIC HEARING regarding a seasonal fireworks permit submitted by J&R Landis Enterprises, LLC, dba USA Fireworks, located at 102 W College Dr.

[25 - 152](#)

**Attachments:** [Permit, USA Fireworks, 102 W College Dr](#)  
[Permit Conditions](#)

Matt Butler, Fire Warden, said inspections were completed.

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

A motion was made by Commissioner Heath, seconded by Commissioner Hollingshead, that this agenda item be approved.

Commissioner Thompson requested discussion on the conditions for the permit that are to be included as part of the motion.

County Attorney Mark Voss discussed the four conditions in the packet. He noted the conditions, which originated from an injunction issued last year for another fireworks stand, are now being routinely imposed on fireworks stands.

Chairman Malm asked Commissioner Heath if she wished to make an amendment to her motion to include the conditions. Commissioners Heath and Hollingshead agreed to the change.

The original motion was amended by Commissioner Heath, seconded by Commissioner Hollingshead, to include the conditions attached to the packet.

The motion as amended carried by the following vote:

**Aye:** Malm, Thompson, Heath, Hollingshead,  
Zwonitzer

9. PUBLIC HEARING regarding a seasonal fireworks permit submitted by Wyoming Fireworks Warehouse, LLC, dba Wyoming Fireworks Warehouse, located at 12616 I-80 Service Rd.

[25 - 153](#)

**Attachments:** [Permit, Wyoming Fireworks Warehouse, 12616 I-80 Service Rd](#)  
[Permit Conditions](#)

Matt Butler, Fire Warden, said inspections were completed.

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

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

**Aye:** Malm, Thompson, Heath, Hollingshead,  
Zwonitzer

Items #10 through #13 were consolidated into one public hearing with separate motions.

10. PUBLIC HEARING regarding a seasonal fireworks permit submitted by Seasonal Sales, Inc, fka Breanna Elliott, dba Jurassic Fireworks, located at 201 I-25 Service Rd Bldg A.

[25 - 159](#)

**Attachments:** [Permit, Jurassic Fireworks, 201 I-25 Service Rd Bldg A](#)  
[Permit Conditions](#)  
[Letter, Frank \(Pete\) Elliott](#)  
[Transfer of Control, Separation, Waiver and Release](#)  
[Agreement for Wyoming Operations](#)

Matt Butler, Fire Warden, said inspections were completed. Butler said there were some conditions on the denied permit from March 18, 2025, but those issues have been corrected.

County Attorney Mark Voss noted that the March 18, 2025, denial was under a different application as a sole proprietor and the new applicant is Seasonal Sales, Inc. Voss spoke about a building code violation at the Artillery World location due to some structures between the buildings and fire doors. Voss said Dan Peters, Chief Building Official, informed him that the matters had been corrected.

Voss said the county attorney's office discussed the applications with the applicant's counsel, Bruce Asay. Voss noted Frank Elliott has withdrawn from the businesses' managerial operations. Voss read the conditions outlined in the resolution.

Commissioner Thompson pointed out Elliott's letter did not match the conditions Voss

read into the record. Asay said the information he received from the county attorney's office was copied and pasted into the letter. Voss confirmed the condition was modified prior to the meeting.

Peters said the enclosed walkways between the buildings have been removed.

Asay said the applicant is committed to addressing the commission's concerns, and his client agrees with the proposed conditions. He requested the board move forward and approve the applications.

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

A motion was made by Vice Chairman Thompson, seconded by Commissioner Zwonitzer, that this agenda item be approved with conditions.

Commissioner Thompson spoke about the safety concerns over the past seven years and business practices. He said he has opposed the business because of its disregard for public safety and not being a good neighbor. Commissioner Thompson said he still has concerns but feels the applicant deserves a chance.

The motion carried by the following vote:

**Aye:** Malm, Thompson, Heath, Hollingshead,  
Zwonitzer

- 11.** PUBLIC HEARING regarding a seasonal fireworks permit submitted by Seasonal Sales, Inc, fka Breanna Elliott, dba Artillery World, located at 237 I-25 Service Rd, Bldg B.

**25 - 160**

**Attachments:** [Permit, Artillery World, 237 I-25 Service Rd Bldg B](#)  
[Permit Conditions](#)

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

**Aye:** Malm, Thompson, Heath, Hollingshead,  
Zwonitzer

- 12.** PUBLIC HEARING regarding a seasonal fireworks permit submitted by Seasonal Sales, Inc, fka Breanna Elliott, dba Artillery World, located at 237 I-25 Service Rd, Bldg C.

**25 - 161**

**Attachments:** [Permit, Artillery World, 237 I-25 Service Rd Bldg C](#)  
[Permit Conditions](#)

A motion was made by Vice Chairman Thompson, seconded by

Commissioner Zwonitzer, that this agenda item be approved with conditions. The motion carried by the following vote:

**Aye:** Malm, Thompson, Heath, Hollingshead,  
Zwonitzer

- 13.** PUBLIC HEARING regarding a yearly fireworks permit submitted by Seasonal Sales, Inc, fka Breanna Elliott, dba Artillery World, located at 237 I-25 Service Rd, Bldg A.

[25 - 162](#)

**Attachments:** [Permit, Artillery World, 237 I-25 Service Rd Bldg A](#)  
[Permit Conditions](#)

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

**Aye:** Malm, Thompson, Heath, Hollingshead,  
Zwonitzer

### Appointments

- 14.** Consideration of a resolution appointing five members to the Laramie County Board of Building Appeals for three and two-year terms.

[25 - 149](#)

**Attachments:** [Resolution, Board of Building Appeals Appointments](#)

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

**Aye:** Malm, Thompson, Heath, Hollingshead,  
Zwonitzer

### Public Hearings/Rules & Reg's

- 15.** PUBLIC HEARING regarding adoption of the 2024 International Fire Code.

[25 - 148](#)

**Attachments:** [Resolution, 2024 Int'l Fire Code](#)

Justin Arnold, Planning, said that Laramie County has been the issuing authority for building permits since the county adopted the International Building Codes in 2003. The State of Wyoming, under WS 35-9-121, delegated authority to Laramie County to "enforce and interpret local or state building, existing building and electrical safety standards" which meet statutory requirements. Public notice of the proposed regulation was given on Feb 18, 2025.

Arnold said staff recommends the adoption of the 2024 International Fire Code with amendments.

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

A motion was made by Commissioner Zwonitzer, seconded by Commissioner Hollingshead, to adopt the 2024 International Fire Code with the proposed amendments. The motion carried by the following vote:

**Aye:** Malm, Thompson, Heath, Hollingshead,  
Zwonitzer

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

- 16.** PUBLIC HEARING regarding a subdivision permit and plat for The Badlands, located in a portion of Sec 34, T16N, R67W, Laramie County, WY.

**[25 - 147](#)**

**Attachments:** [The Badlands, Subdivision Permit and Plat](#)

Justin Arnold, Planning, said Steil Surveying Services, LLC, on behalf of Energy Construction of WY, LLC, submitted a subdivision permit and plat application for a portion of the NE1/4 and the S1/2 Sect 34, T16N, R67W, located north of Sunlight Rd and east of Rd 120. He said the proposed subdivision will create 34 residential tracts from the 349.82-acre parcel with an average of 10.29 acres.

Commissioner Zwonitzer asked about ranch waste in the area. Shane Hanson, agent, said the applicant has agreed to clean up the property.

Arnold said based on evidence provided, staff recommends approval with the adoption of findings of fact a and b.

Commissioner Zwonitzer asked who would maintain the cistern. Hanson said the applicant is requesting the use of the public safety funds, and the county would maintain the cistern. Matt Butler, County Fire Warden, confirmed that the fire district (Laramie County Fire Authority) would maintain the cistern.

Chairman Malm opened the hearing for PUBLIC COMMENT. David Webster, resident, expressed concerns about moving fence lines and cost of replacement. Hearing no further PUBLIC COMMENT, Chairman Malm closed the hearing.

A motion was made by Commissioner Zwonitzer, seconded by Commissioner Hollingshead, to approve the subdivision permit and plat for The Badlands located in a portion of Sect 34, T16N, R67W, 6th PM, Laramie County, WY, with one condition and adopt the findings of fact a and b of the staff report.

Molly Bennett, Public Works, said the project will require a right-of-way permit. She said the fence issue could be addressed during the road's design process and

recommended the developer be responsible for the expense of relocating the fence.

County Attorney Mark Voss spoke about the different types of road dedication. He said he would need to do additional research on common law dedication and adverse possession, but he hoped that the permitting process would resolve any issues. Voss said if a fence is in the easement, there could be a permit condition discussion.

A motion was made by Vice Chairman Thompson, seconded by Commissioner Hollingshead, to amend the motion to bring the right-of-way permit back to the board for approval once it is agreed upon by the parties.

Hansen said the applicant has been amenable to building the road to county specs. He noted that both fences on each side of the road have been built in the easement.

Commissioner Zwonitzer said the amendment is inappropriate and the commission should not decide on the fence lines and the need for it to come back before the commission.

Bennett said she would keep Webster involved during the review process.

The amendment failed by the following vote:

**Aye:** Heath, Hollingshead

**Nay:** Malm, Thompson, Zwonitzer

The original motion carried by the following vote:

**Aye:** Malm, Thompson, Heath, Hollingshead,  
Zwonitzer

17. PUBLIC HEARING regarding a zone change from MR - Medium Density Residential to MU - Mixed Use for the E1/2 of Tract 20, Cheyenne Irrigated Gardens, Laramie County, WY.

**[25 - 150](#)**

**Attachments:** [Cheyenne Irrigated Gardens, Zone Change](#)

Justin Arnold, Planning, said David Quade, applicant, submitted a zone change application for the E1/2 of Tract 20, Cheyenne Irrigated Gardens, located at 2118 Persons Rd. He said the purpose of the application is to change the zone district from MR - Medium Density Residential to MU - Mixed Use to allow for outside surface or indoor storage. Arnold said upon approval of the zone change request, the submission of a site plan application will be required for any proposed commercial operation.

Arnold said based on evidence provided, staff recommends approval with the adoption of findings of fact a and b.



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

A motion was made by Commissioner Heath, seconded by Commissioner Hollingshead, to approve the zone change from MR - Medium Density Residential to MU – Mixed Use for the E1/2 of Tract 20, Cheyenne Irrigated Gardens, Laramie County, WY, 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, Thompson, Heath, Hollingshead,  
Zwonitzer

18. PUBLIC HEARING regarding a vacation and administrative plat of a portion of Tract 5, O'Connor Ranchettes, Laramie County, WY.

[25 - 154](#)

**Attachments:** [Osvaldo Peralta Guerrero, Board Approval Vacation and Administrative Plat, O'Connor Ranchettes](#)

Justin Arnold, Planning, said Jones Land Surveying, Inc, on behalf of Osvaldo Peralta Guerrero, submitted an administrative plat application for property located in O'Connor Ranchettes Subdivision north of the intersection of Bade Rd and Happy Jack Rd. He said the application asks to vacate a portion of Tract 5 and subdivide it into two parcels.

Arnold said based on evidence provided, staff recommends approval with the adoption of findings of fact a, b and c.

Chairman Malm opened the hearing for PUBLIC COMMENT. Kevin Steiner, Eleanor Stebbing, Scott Ellis, LaRoy Books, James Grayer and Marilyn Ellis, residents, expressed their concerns. The concerns expressed were water, road maintenance and traffic, increase in population density, further subdividing property, skyline view, and dogs harassing people and cattle. Hearing no further PUBLIC COMMENT, Chairman Malm closed the hearing.

Chairman Malm explained any further subdividing would require a subdivision permit and plat.

A motion was made by Vice Chairman Thompson, seconded by Commissioner Zwonitzer, that this agenda item be approved.

Commissioner Thompson spoke about the water issue and the process of creating the AMEC memo, which divided the county into four zones for minimum lot sizes that would not negatively impact the aquifer. He also spoke about the land use regulations, and if an applicant follows regulations, then the board does not have basis to deny an application.

Commissioner Heath said she understands the concerns about water. She spoke

about the city wells and how the city of Cheyenne measured the aquifers with geothermal flights. She noted that she has been told that aquifers in the area have been dropping. She said she does not know how much or what the impact on the residents in the area will be and will try to obtain more information.

The motion carried by the following vote:

**Aye:** Malm, Thompson, Heath, Hollingshead,  
Zwonitzer

**The meeting adjourned at 5:26 pm.**

#### **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, April 15, 2025.

Approved by : Debra K. Lee, County Clerk

Reviewed by : Gunnar Malm, Chairman,  
Board of County Commissioners

#### **Reasonable Accommodations**

This information is available in alternate forms. If reasonable accommodations are required, contact Laramie County Human Resources at (307) 633-4355 or [humanresources@laramiecountywy.gov](mailto:humanresources@laramiecountywy.gov) 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](http://laramiecountywy.gov).