

Board of County Commissioners

Minutes of the Proceedings - Draft

Historic Courthouse
310 W 19th Street
Cheyenne, WY 82001



Tuesday, September 3, 2019

3:30 PM

Commissioners Board Room

Roll Call/Call to Order

Present: Chairman Linda Heath, Vice Chairman Amber Ash, Commissioner K. N. Buck Holmes, Commissioner Gunnar Malm, Commissioner Troy Thompson

Minutes

1. Consideration of the Minutes of Proceedings for August 20, 2019.

[19 - 349](#)

Attachments: [Draft Minutes August 20, 2019](#)

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

Aye: Heath, Ash, Holmes, Malm, Thompson

Consent Agenda

Approval of the Consent Agenda

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

Aye: Heath, Ash, Holmes, Malm, Thompson

2. Consideration of a catering permit submitted by Kimberly Wides Stewart, S & W Properties, dba Vino's Wine and Spirits, to cater the Laramie County Republican Party Red State Rendezvous event at the LCCC Clay Pathfinder Building on September 6, 2019.

[19 - 360](#)

Attachments: [Vino's Wine and Spirits 24-hour Catering Permit September 6, 2019](#)

This agenda item was approved.

3. Consideration of a resolution authorizing the ratified submission of a reallocation grant application to the Wyoming Department of Health for the FY 2020 Wyoming Court Supervised Treatment program to request funding for the Laramie County Drug Court program in the amount of \$46,773.30 with no additional matching funds.

[19 - 363](#)

Attachments: [WY Dept. of Health FY 2020 Re-Allocation Application - Drug Court \\$46,773.30](#)

This agenda item was approved.

4. Consideration of a resolution authorizing the ratified submission of a grant application to the Wyoming Association of Sheriffs and Chiefs of Police for a FY 2020 EUDL grant for overtime costs associated with underage drinking enforcement for the months of April and June 2020 in the amount of \$608.13. [19 - 348](#)

Attachments: [FY 2020 EUDL Grant Application](#)

This agenda item was approved.

5. Consideration of an agreement between Laramie County, WY, and Bud's Wrecking to transport, destroy, and dispose of vehicles at the abandoned lot, as described in attachment A. [19 - 346](#)

Attachments: [Bud's Wrecking Agreement](#)

This agenda item was approved.

6. Consideration of an equitable sharing agreement and certification for the Laramie County Sheriff's Department. This is a correction to the August 6, 2019 agenda item 190806-02. It corrects the amount from \$3,131.69 to \$6,189.67 under item d of the summary of shared funds spent. [19 - 364](#)

Attachments: [Equitable Sharing Agreement and Certification - Corrected](#)

This agenda item was approved.

7. Consideration of an administrative services agreement between Laramie County, WY, and Blue Cross Blue Shield of Wyoming for an employee welfare benefit plan which has been established and is maintained by Laramie County, as plan sponsor and plan administrator, for the benefit of its participants and beneficiaries. [19 - 361](#)

Attachments: [Administrative Services Agreement - Blue Cross Blue Shield of Wyoming](#)

This agenda item was approved.

8. Consideration of the appointment of Eang Man as a part-time magistrate of the Circuit Court for the First Judicial District, Laramie County, State of Wyoming, in accordance with W.S. 5-9-210(b). [19 - 362](#)

Attachments: [Appointment of Magistrate to Circuit Court - Eang Man](#)

This agenda item was approved.

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9. Consideration of the following fees collected by various County entities for July 2019: County Clerk, \$155,708.82; Sheriff, \$109,881.29; Clerk of District Court, \$18,106.69; Shooting Sports, \$14,012.27; Planning & Development, \$105,647.58; Circuit Court, \$66,227.00; DUI Court, \$525.00; Drug Court, \$680.00. [19 - 350](#)

Attachments: [July Fees 2019](#)

This agenda item was approved.

10. Consideration of the following part-time salaries in the amount of \$50,117.91 for August 2019: Coroner, \$168.32; Planning, \$380.00; Shooting Sports, \$6,899.04; Events Department, \$6,210.50; Buildings/Maintenance, \$24,662.85; Sheriff Operations, \$1,789.18; Detention, \$7,567.17; District Court, \$1,192.50; Drug/DUI Courts, \$1,248.35. [19 - 351](#)

Attachments: [August Part-time Salaries 2019](#)

This agenda item was approved.

11. Consideration of warrants in the amount of \$4,571,739.73 for August 2019. [19 - 352](#)

Attachments: [August Warrants 2019](#)

This agenda item was approved.

12. Consideration of the annual agreement between Laramie County, WY, City of Cheyenne Youth Alternatives (Juvenile Probation Services) in the amount of \$54,000, beginning July 1, 2019, and ending June 30, 2020. [19 - 358](#)

Attachments: [FY 2020 Agreement - Cheyenne Youth Alternatives](#)

This agenda item was approved.

13. Consideration of the annual economic development services agreement between Laramie County, WY, and Cheyenne LEADS in the amount of \$50,000, beginning July 1, 2019, and ending June 30, 2020. [19 - 357](#)

Attachments: [FY 2020 Economic Development Services Agreement - Cheyenne LEADS](#)

This agenda item was approved.

14. Consideration of the annual human services agreement between Laramie County, WY, and Cheyenne Housing Authority in the amount of \$75,000, beginning July 1, 2019, and ending June 30, 2020. [19 - 353](#)

Attachments: [FY 2020 Human Services Agreement - Cheyenne Housing Authority](#)

This agenda item was approved.

15. Consideration of the annual human services agreement between Laramie County, WY, and Peak Wellness in the amount of \$40,000, beginning July 1, 2019, and ending June 30, 2020. [19 - 354](#)

Attachments: [FY 2020 Human Services Agreement - Peak Wellness](#)

This agenda item was approved.

16. Consideration of the annual human services agreement between Laramie County, WY, and United Way of Laramie County in the amount of \$125,000, beginning July 1, 2019, and ending June 30, 2020. [19 - 355](#)

Attachments: [FY 2020 Human Services Agreement - United Way of Laramie County](#)

This agenda item was approved.

17. Consideration of the annual human services agreement between Laramie County, WY, and Pine Bluffs Senior Citizens Center in the amount of \$24,000, beginning July 1, 2019, and ending June 30, 2020. [19 - 356](#)

Attachments: [FY 2020 Human Services Agreement - Pine Bluffs Senior Citizens](#)

This agenda item was approved.

18. Consideration of the multiannual cooperative agreement between the City of Cheyenne, Laramie County, WY, and United Way of Laramie County to create a Human Services Advisory Council to coordinate and refine human services delivery funding in the amount of \$10,500 per year beginning October 16, 2019, and ending October 15, 2022. [19 - 373](#)

Attachments: [Cooperative Agreement - United Way of Laramie County](#)

This agenda item was approved.

Proclamations

19. Consideration of a resolution proclaiming September 2019 as National Recovery Month. [19 - 310](#)

Attachments: [Resolution Proclaiming September National Recovery Month](#)

Commissioner Malm read the resolution into the record and thanked the other board

members for their support to proclaim September 2019 as National Recovery Month. Commissioner Malm recognized Laura Griffith, Executive Director of Recover Wyoming, and John Olive, President of the Board of Directors for Recover Wyoming. 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: Heath, Ash, Holmes, Malm, Thompson

Grants

20. Consideration of a contract between Laramie County, WY, and the Wyoming Department of Family Services for the Temporary Assistance for Needy Families Community Partnership Initiative in the amount of \$120,000, effective October 1, 2019, through September 30, 2020.

[19 - 345](#)

Attachments: [FY 2020 TANF CPI Contract](#)

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

Aye: Heath, Ash, Holmes, Malm, Thompson

Appointments

21. Consideration of a resolution reappointing Mark T. Voss as the Laramie County Attorney in accordance with W.S. 18-3-301(a), effective September 3, 2019.

[19 - 347](#)

Attachments: [Resolution Reappointing the County Attorney Mark T. Voss](#)

The Board of County Commissioners acknowledged Mr. Voss for his expertise and service to the County.

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

Aye: Heath, Ash, Holmes, Malm, Thompson

Land Use:Variances/Board App./Plats

- 22.** Consideration of the postponement request for a Subdivision Permit and Plat for Jordan Ranch, 1st Filing, a portion of land in the SW1/4 SW1/4, Sec. 22, T. 15N., R. 66W., of the 6th P.M., Laramie County, WY. (Item continued from June 25 and July 31, 2019, meetings) [19 - 371](#)

Attachments: [Jordan Ranch, 1st Filing Subdivision Permit and Plat](#)

Marissa Pomerleau, Planning, said Edwards Development Company, on behalf of Jordan Ranch, LLC, submitted a Subdivision Permit and Plat application for Jordan Ranch, 1st Filing, located southeast of the North Country subdivision. The purpose of application is to subdivide the property into two residential use lots. Ms. Pomerleau said the applicant is requesting a postponement.

A motion was made by Commissioner Holmes, seconded by Commissioner Thompson, that this agenda item be postponed until the applicant has satisfied the required condition. The motion carried by the following vote:

Aye: Heath, Ash, Holmes, Malm, Thompson

- 23.** PUBLIC HEARING regarding a Zone Change from MR-Medium Density Residential to PUD-Planned Unit Development for "K. Wilson PUD" located on Tract 3, Kemp Subdivision, Laramie County, WY. [19 - 365](#)

Attachments: [K. Wilson Complex PUD Zone Change](#)

Bryan Nicholas, Planning, said Kermit Craig and Gay L. Wilson of 2911 Foothills Road, Cheyenne, WY, on behalf of the Lottie Kemp Irrevocable Trust, care of Lottie B. Kemp, submitted a Zone Change application for Tract 3, Kemp Subdivision, located southeast of East Pershing Boulevard and Foster Ave. The purpose of the application is to change the zone district from MR - Medium Density Residential to PUD - Planned Unit Development to allow for operation of an enclosed storage unit facility. Upon approval of the zone change, submittal of a Site Plan application will be required for the proposed commercial operation.

Kermit and Gay Wilson, applicants, gave an overview of the proposed project.

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

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

A motion was made by Commissioner Thompson, seconded by Commissioner Holmes, to approve the Zone Change from MR - Medium Density Residential to PUD Planned Unit Development for the "K. Wilson PUD", located on Tract 3, Kemp Subdivision, Laramie County, WY, and

adopt the findings of facts a and b of the staff report. The motion carried by the following vote:

Aye: Heath, Ash, Holmes, Malm, Thompson

- 24. PUBLIC HEARING regarding a Subdivision Permit and Plat for Talbert Corner, a portion of land in the S1/2 SE1/4, Sec. 30, T. 17N., R. 63W., of the 6th P.M., Laramie County, WY.

[19 - 366](#)

Attachments: [Talbert Corner Subdivision Permit and Plat](#)

Marissa Pomerleau, Planning, said Steil Surveying Services, LLC, on behalf of Joshua Imel, ET UX, has submitted a Subdivision Permit and Plat application for Talbert Corner, located northwest of the intersection of County Roads 143 and 228. The purpose of the application is to subdivide 7.16 acres from the existing 68.73-acre parcel.

Casey Palma, Steil Surveying Services, LLC and agent for the applicant, stood for questions and noted the draft condition language was acceptable.

Ms. Pomerleau, said based on evidence provided, staff recommends approval with the adoption of findings of fact a and with one condition: A document shall be recorded limiting further subdivision of the remaining parcel to no more than one division.

Brad Emmons, Planning, and Mark Voss, County Attorney, said the language for the condition is being drafted by the County Attorney's office to be placed on the deed.

After a discussion, Chairman Heath, Commissioners Ash and Holmes spoke about the need to postpone the agenda item and explained their concerns about approving the resolution without knowing what the language is. Mr. Palma said the applicant would prefer to move forward but it would be acceptable to postpone the agenda item. Commissioner Thompson noted the applicant has gone through the required process and did not feel the agenda item should be postponed.

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

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

Aye: Heath, Ash, Holmes

Nay: Malm, Thompson

25. PUBLIC HEARING regarding a Subdivision Permit for Tract 2, Sunset Tracts, 2nd Filing, Laramie County, WY.

[19 - 367](#)

Attachments: [Tract 2, Sunset Tracts, 2nd Filing Subdivision Permit](#)

Bryan Nicholas, Planning, said Steil Surveying Services, LLC, on behalf of the Kathryn A. Gress Revocable Trust, care of Greg Dykeman, submitted a Subdivision Permit application for Tract 2, Sunset Tracts, 2nd Filing, located on the Yellowstone Service Road, north of W. Idaho Street. The purpose of the application is to legalize the subdivision of Tract 2 into two parcels.

Casey Palma, Steil Surveying Services, LLC, and agent for the applicant, stood for questions.

Mr. Nicholas said based on evidence provided, staff recommends approval with the adoption of findings of fact a with no conditions.

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

A motion was made by Commissioner Thompson, seconded by Commissioner Holmes, to approve the Subdivision Permit for Tract 2, Sunset Tracts, 2nd Filing, and adopt the findings of facts a of the staff report. The motion carried by the following vote:

Aye: Heath, Ash, Holmes, Malm, Thompson

26. PUBLIC HEARING regarding a Subdivision Permit and Plat for Archer Estates, 7th Filing, a replat of Tract 5, Archer Estates, 6th Filing, Laramie County, WY.

[19 - 368](#)

Attachments: [Archer Estates, 7th Filing, Subdivision Permit and Plat](#)

Marissa Pomerleau, Planning, said Steil Surveying Services, LLC, on behalf of Triple Dot Development, LLC, c/o Jack Stadel, submitted a Subdivision Permit and Plat application for Archer Estates, 7th Filing, located northeast of the intersection of Westedt Road and Glencoe Drive. The purpose of the application is to subdivide the property into three residential use tracts.

Casey Palma, Steil Surveying Services, LLC, and agent for the applicant, stood for questions.

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

Ms. Pomerleau, said based on evidence provided, staff recommends approval with the adoption of findings of fact a and b with no conditions.

A motion was made by Commissioner Holmes, seconded by

Commissioner Thompson, to approve the Subdivision Permit and Plat for Archer Estates, 7th Filing and adopt the findings of facts a and b of the staff report. The motion carried by the following vote:

Aye: Heath, Ash, Holmes, Malm, Thompson

27. PUBLIC HEARING regarding a Subdivision Permit and Plat for BHE Ready Subdivision, and a Zone Change from A2-Agricultural to LI-Light Industrial, for a portion of land in the N1/2 NE1/4, Sec. 5, T. 13N., R. 67W., of 6th P.M., Laramie County, WY. (Two motions required)

[19 - 369](#)

Attachments: [BHE Ready Subdivision Permit and Plat & Zone Change](#)

Bryan Nicholas, Planning, said Daniel Hayes of Inberg-Miller, on behalf of King Ranch Company LP, submitted Subdivision Permit and Plat and Zone Change applications for Black Hill Energy (BHE) Ready Subdivision, consisting of a 27.56 lot, located approximately one mile west of Roundtop Road. The applications were submitted to subdivide the proposed lot from the existing 1,800-acre property, and to request a zone change from A2-Agricultural to LI-Light Industrial. Both applications were combined into one staff report for ease of presentation and discussion, with separate motions required on the two actions. Nicholas said due to the nature of the proposed actions, the Zone Change is dependent on approval of the Subdivision Permit and Plat.

Daniel Hayes, Inberg-Miller and agent for the applicant, stood for questions.

Mr. Nicholas, said based on evidence provided for the subdivision permit and plat, staff recommends approval with the adoption of findings of fact a with no conditions.

Mr. Nicholas, said based on evidence provided for the zone change request, staff recommends approval with the adoption of findings of facts a and b with no conditions.

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

A motion was made by Commissioner Malm, seconded by Commissioner Thompson, to approve the Subdivision Permit and Plat for BHE Ready Subdivision, and adopt the findings of fact a for the subdivision permit and plat, as shown in the staff report. The motion carried by the following vote:

Aye: Heath, Ash, Holmes, Malm, Thompson

A motion was made by Commissioner Thompson, seconded by Commissioner Holmes, to approve the Zone Change from A2 to LI for a

portion of land in the N1/2 NE1/4, Section 5, T. 13N., R. 67W., of the 6th P.M., Laramie County, WY, to be known as "BHE Ready Subdivision", and adopt the findings of facts a and b for the zone change, as shown in the staff report. The motion carried by the following vote:

Aye: Heath, Ash, Holmes, Malm, Thompson

- 28.** PUBLIC HEARING regarding a Zone Change from PUD-Planned Unit Development to AR-Agricultural Residential, and a Subdivision Permit and Plat for Bison Crossing, 10th Filing, a portion of land in the SW1/4, Sec. 29, the SE1/4, Sec. 29, and the NW1/4, Sec. 32, T. 13N., R. 66W., of the 6th P.M., Laramie County, WY. (Two motions required)

[19 - 370](#)

Attachments: [Bison Crossing, 10th Filing, Zone Change & Subdivision Permit and Plat](#)

Marissa Pomerleau, Planning, said Brett A. Vizina of T.F.S. II, LLC, submitted a Zone Change and Subdivision Permit and Plat application for Bison Crossing, 10th Filing, consisting of five tracts and located northwest of the intersection of S. Greeley Highway and Terry Ranch Road. Ms. Pomerleau explained the applications were submitted to request a zone change from PUD to AR for the proposed subdivision, and to subdivide 18.67 acres from the existing 92.68-acre tract. Both applications were combined into one staff report for ease of presentation and discussion, with separate motions required on the two actions.

Russ Dahlgren, Dahlgren Consulting and agent for the applicant, stood for questions.

Ms. Pomerleau said based on evidence provided for the zone change request, staff recommends approval with the adoption of findings of fact a and b with the following condition: All agency comments regarding corrections to the Zone Change - Exhibit 'A' map shall be addressed prior to recordation.

Ms. Pomerleau said based on evidence provided for the subdivision and plat, staff recommends approval with the adoption of findings of fact a with the following conditions: 1. All agency comments regarding corrections to the Plat shall be addressed prior to recordation; and 2. A new legal description for the remainder parcel shall be submitted prior to recordation.

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

A motion was made by Commissioner Holmes, seconded by Commissioner Thompson, to approve the Zone Change from PUD to AR located in a portion of land in the SW1/4, Sec. 29, the SE1/4, Sec. 29, and the NW1/4, Sec. 32, T. 13N., R. 66W., of the 6th P.M., Laramie County, WY with one condition, and adopt the findings of fact a and b for the zone

change, as shown in the staff report. The motion carried by the following vote:

Aye: Heath, Ash, Holmes, Malm, Thompson

A motion was made by Commissioner Thompson, seconded by Commissioner Malm, to approve the Subdivision Permit and Plat for Bison Crossing, 10th Filing, with two conditions, and adopt the findings of fact a for the subdivision permit and plat, as shown in the staff report. The motion carried by the following vote:

Aye: Heath, Ash, Holmes, Malm, Thompson

29. PUBLIC HEARING regarding a Zone Change from CB-Community Business to MR-Medium Density Residential, for a portion of Tract 44, Allison Tracts, Laramie County, WY, and a Subdivision Permit and Plat for Bette Lane Townhomes, a replat of a portion of Tract 44, Allison Tracts, Laramie County, WY. (Two motions required)

[19 - 372](#)

Attachments: [Bette Lane Townhomes Zone Change & Subdivision Permit and Plat](#)

Bryan Nicholas, Planning, said Steil Surveying Services, on behalf of Mark J. Bohlinger of Bohlinger Properties of Wyoming, LLC, submitted a Zone Change, Preliminary Development Plan, and Subdivision Permit and Plat applications for property located southwest of the intersection of S. Greeley Hwy. and W. Prosser Road. The applications seek a zone change from Community Business to Medium Density Residential, and subdivision of the property into 12 residential lots for living units on each proposed lot. The applications were combined into one staff report for ease of presentation and discussion, with separate motions required on the three actions. Mr. Nicholas said the Preliminary Development Plan and Subdivision Permit and Plat are dependent on the approval of the Zone Change.

Casey Palma, Steil Surveying Services, LLC, and agent for the applicant, stood for questions.

Mr. Nicholas said based on evidence provided for the zone change request, staff recommends approval with the adoption of findings of fact a and b with no conditions.

Mr. Nicholas said based on evidence provided for the subdivision permit and plat, staff recommends approval with the adoption of findings of fact a and b with no conditions.

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

Commissioner Holmes requested the Planning office contact South Cheyenne Water

and Sewer District to get an assessment of the district's capacity now and in the future. Commissioner Holmes noted the increased development in the area.

A motion was made by Commissioner Thompson, seconded by Vice Chairman Ash, to approve the Zone Change from CB to MR for a portion of Tract 44, Allison Tracts, Laramie County, WY, and adopt the findings of fact a and b for the zone change, as shown in the staff report. The motion carried by the following vote:

Aye: Heath, Ash, Holmes, Malm, Thompson

A motion was made by Commissioner Thompson, seconded by Commissioner Holmes, to approve the Subdivision Permit and Plat for Bette Lane Townhomes, a replat of a portion of Tract 44, Allison Tracts, Laramie County, WY, and adopt the findings of fact a and b of the staff report. The motion carried by the following vote:

Aye: Heath, Ash, Holmes, Malm, Thompson

The meeting adjourned at 5:17 p.m.

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.