

Board of County Commissioners

Minutes of the Proceedings - Draft

Historic Courthouse
310 W 19th Street
Cheyenne, WY 82001



Tuesday, September 20, 2022

3:30 PM

Commissioners Board Room

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 Sept 6, 2022.

[22 - 558](#)

Attachments: [Draft Minutes Sept 6, 2022](#)

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

Consent Agenda

Approval of the Consent Agenda

A motion was made by Commissioner Heath, 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 resolution authorizing submission of a grant application to the WY Dept of Health for a Health and Human Services Innovation Grant in partnership with the City of Cheyenne Police Dept and Cheyenne Regional Medical Center in the amount of \$597,675.

[22 - 550](#)

Attachments: [Grant Application, WY Dept of Health](#)

This agenda item was approved.

3. Consideration of a resolution authorizing acceptance of an award of a National Fitness Court Grant in the amount of \$30,000 to bring an outdoor fitness court to Clear Creek Park.

[22 - 556](#)

Attachments: [Grant Award, National Fitness Campaign](#)

This agenda item was approved.

4. Consideration of the deletion from the Sheriff's fixed asset inventory of a 2014 Ford Expedition transferred to the Town of Burns. [22 - 551](#)

Attachments: [Asset Deletion, Sheriff, 2014 Ford](#)

This agenda item was approved.

5. Consideration of petitions for a tax refund for tax years 2020 and 2021 for Evertson Operating Co on applications 20-01 and 21-01 in the amount of \$416.79. [22 - 552](#)

Attachments: [2020 Tax Refund Petition 20-01, Evertson Operating Co](#)
[2021 Tax Refund Petition 21-01, Evertson Operating Co](#)

This agenda item was approved.

6. Consideration of the following fees collected by Shooting Sports, \$16,932.80 for July 2022. [22 - 559](#)

Attachments: [July Fees 2022](#)

This agenda item was approved.

Proclamations

7. Consideration of a resolution proclaiming Sept 2022 as National Recovery Month. [22 - 553](#)

Attachments: [Resolution Proclaiming Sept 2022 Natl Recovery Month](#)

County Commissioner Malm read the proclamation and thanked the Board for the support of the past resolutions.

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

Public Hearings/Rules & Reg's

8. PUBLIC HEARING and consideration of the appraisers' report regarding the establishment of public right-of-way, a 50-foot section of Second St from Adams Ave south to Rd 203, Carpenter, WY. [22 - 554](#)

Attachments: [Appraisers' Report, 2nd Street, Carpenter, Morgan's Parcel](#)
 [Appraisers' Report, 2nd Street, Carpenter, Parsons' Parcel](#)

Molly Bennett, Public Works, spoke of the two appraisers' reports. She said two Carpenter landowners claimed damages and read the amounts into the record: Parson's parcel at 4834 Rd 203, \$18,471 and Morgan's parcel at 313 2nd St, \$8,953.

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 accept establishment of the right-of-way and pay the affected parties listed in the appraisal reports compensation at the appraised values and instruct the County Attorney to draft conclusions of law and findings of fact supporting this decision. The motion carried by the following vote:

Aye: Thompson, Lovett, Heath, Holmes, Malm

Commissioner Malm spoke about the eminent domain process and stated the board exercised due diligence to compensate the affected property owners and respond to petitioners' request to establish the road.

Chairman Thompson directed the County Attorney's office to prepare the findings of fact for the Oct 4, 2022 agenda.

Land Use:Variances/Board App./Plats

- 9. PUBLIC HEARING regarding board approval for an RV campground expansion located at Capitol Tracts, Tract 4, less .218 acres, Laramie County, WY, as shown in Book 1328, Page 117 at the Laramie County Clerk and Real Estate Office. [22 - 557](#)

Attachments: [Harrington, Board Approval](#)

Michael Surface, Planning, said Marc and Jane Harrington submitted an application for approval of an RV campground expansion of eight spaces. The RV campground is at 1529 W College Dr and the proposed expansion site is located on the southern part of the property along Hellwig Rd. If board approval is granted, a site plan is required to be approved.

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

Mr. Surface said based on evidence provided, staff recommends approval of the RV campground as a use with the adoption of findings of fact a and b.

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

A motion was made by Vice Chairman Lovett, seconded by Commissioner Heath, to approve the RV campground located on Capitol Tracts, Tract 4, less .218 acres, Laramie County, WY, as shown in Book 1328 Page 117 and adopt the findings of fact a and b of the staff report, along with the attached "Exhibit A". The motion carried by the following vote:

Aye: Thompson, Lovett, Heath, Holmes, Malm

- 10. PUBLIC HEARING regarding vacation of a note on the Bison Crossing, 8th Filing plat.

[22 - 560](#)

Attachments: [Bison Crossing, 8th Filing, Note Vacation Letter, Public Works Director, Bison Crossing 8th, Filing](#)

Justin Arnold, Planning, said Ronnie Lopez on behalf of Bison Crossing, 8th Filing, Road Maintenance Assoc, submitted an application for a vacation of Note 6 on the Bison Crossing, 8th Filing plat. If approved, Public Works would take on maintenance of the roads within Bison Crossing, 8th filing, subdivision.

Mr. Lopez noted he is not requesting a complete vacation of Note 6, only the portion on road maintenance. Mr. Lopez acknowledged the possibility of other subdivisions making the same request. However, he said the association's request is different because the County maintains both ends of the loop leading into the subdivision as one continuous road. He also pointed out the county is currently maintaining roads for all but two phases of the subdivision. He said the road was built to county standards, is dedicated to the public but is currently privately maintained. Mr. Lopez said it makes sense for the county to take over road maintenance for logistical and continuity of maintenance reasons. Mr. Lopez talked about the proposal to hand over \$30,000 from the association to the county for maintenance of the road.

Mr. Arnold said based on evidence provided, staff recommends the board deny the application to remove plat Note 6 requiring private maintenance of the road.

Chairman Thompson opened the hearing for PUBLIC COMMENT. Guy Whitlock, resident, spoke about the safety issue of graders having to back up. Logan Wiley, resident, spoke about his willingness for the \$30,000 to be transferred to the county to help with road maintenance. Hearing no further PUBLIC COMMENT, Chairman Thompson closed the hearing.

A motion was made by Commissioner Malm, seconded by Vice Chairman Lovett, to amend Note 6 on Bison Crossing, 8th filing, to strike everything

after the comma following "public" in the first sentence and add "County to maintain this public road."

Commissioner Malm said he would like to discuss the funding issue separately from the motion and proposed a meeting between the homeowners association (HOA) and Public Works on how the funds will be used.

Commissioner Holmes spoke about the history of the filing. He noted the developers did not wish to include county maintenance of the road. He expressed concerns about the county accepting maintenance of the road and noted that Public Works in the past had requested the county not take on additional maintenance because of the burdens of staffing, equipment and funding.

Chairman Thompson said he feels it makes sense to accept maintenance of the road because the county is doing the road on both sides and it is a closed loop. He noted that if other subdivisions request the same consideration, the Board can take each subdivision on a case-by-case basis.

A motion was made by Commissioner Malm, seconded by Vice Chairman Lovett, to amend the original motion to include the language that prior to amending Note 6 on the plat, the county and the homeowners association will enter into an MOU for the use of road maintenance funds currently held by the HOA.

Chairman Thompson requested staff opinion on the amendment. Ms. Bennett said within the MOU the county could differentiate where the funds go. She questioned the MOU's purpose. Commissioner Malm explained it would be a basic MOU that would outline where funds are going and allow for expectations.

Mr. Lopez said if their request is approved, they would expect the county to maintain the road in conformity with maintenance of surrounding roads. He said the funds do not need to be specifically segregated but would be a contribution applied to general road maintenance.

Chairman Thompson explained he was not in favor of the MOU because the county has an established way of maintenance.

The motion failed by the following vote:

Nay: Thompson, Lovett, Heath, Holmes, Malm

A motion was made by Commissioner Malm, seconded by Vice Chairman Lovett, to amend the original motion to include acceptance of the proposal offered by the homeowners association. The motion carried by the following vote:

Aye: Thompson, Lovett, Heath, Malm

Nay: Holmes

Monique Meese, County Attorney, said adoption of the language in the amendment assumes the transfer of the funds to the county for road maintenance.

Commissioner Holmes expressed his concerns about transferring the funds to the county for road maintenance and asked if it sets a precedent.

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

Aye: Thompson, Lovett, Heath, Malm

Nay: Holmes

The meeting adjourned at 4:23 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 at least two business days prior to the meeting.