

Board of County Commissioners

Minutes of the Proceedings - Final

Historic Courthouse
310 W 19th Street
Cheyenne, WY 82001



Tuesday, August 2, 2022

3:30 PM

Commissioners Board Room

Roll Call/Call to Order

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

Excused: Vice Chairman Brian Lovett

Minutes

1. Consideration of the Minutes of Proceedings for July 19, 2022.

[22 - 477](#)

Attachments: [Draft Minutes July 19, 2022](#)

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, Heath, Holmes, Malm

Excused: Lovett

Chairman Thompson removed Item #9 from the Consent Agenda.

Consent Agenda

Approval of the Consent Agenda

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

Aye: Thompson, Heath, Holmes, Malm

Excused: Lovett

2. Consideration of a legal services agreement between Laramie County, WY, and The Salisbury Firm, PC to provide legal counsel and assist the Laramie County Attorney's Office at a rate of \$190 per hour. The agreement shall remain in full force and effect until Dec 31, 2022.

[22 - 452](#)

Attachments: [Legal Services Agreement, The Salisbury Firm, PC](#)

This agenda item was approved.

3. Consideration of the ratification of an agreement between Laramie

[22 - 451](#)

County, WY, and ABEK Cleaning, LLC, in the amount of \$6,880 to provide janitorial services during the Laramie County Fair. This agreement also provides for potential future work upon mutual agreement between the contractor and the Events Dept.

Attachments: [Agreement, ABEK Cleaning, LLC](#)

This agenda item was approved.

4. Consideration of an agreement between Laramie County, WY, and Hell on Wheels Rodeo Co, LLC, in the amount of \$15,000 to provide ranch rodeo organizer services for the Laramie County Fair Ranch Rodeo as described in Exhibit B. [22 - 460](#)

Attachments: [Agreement, Hell on Wheels Rodeo Co, LLC](#)

This agenda item was approved.

5. Consideration of an amendment for the annual renew of agreement 200721-6 between Laramie County, WY, and CorrHealth to provide inmate health care programs and services. [22 - 455](#)

Attachments: [Amendment, CorrHealth](#)

This agenda item was approved.

6. Consideration of a grant agreement between Cheyenne Regional Medical Center and Laramie County, WY, in the amount of \$5,000 for a prevention grant to address suicide prevention efforts in Laramie County to run through June 15, 2024. [22 - 463](#)

Attachments: [Agreement, CRMC, Prevention Grant, Coroner](#)

This agenda item was approved.

7. Consideration of a grant agreement between Cheyenne Regional Medical Center and Laramie County, WY, in the amount of \$6,000 for a prevention grant to address alcohol consumption at the Laramie County event facilities to run through June 15, 2024. [22 - 461](#)

Attachments: [Agreement, CRMC, Prevention Grant, Risk Management](#)

This agenda item was approved.

8. Consideration of a grant agreement between Cheyenne Regional Medical Center and Laramie County WY, in the amount of \$50,500 for a prevention grant to address alcohol, drug and substance use in Laramie County to run through June 15, 2024. [22 - 462](#)

Attachments: [Agreement, CRMC, Prevention Grant, Sheriff](#)

This agenda item was approved.

9. Consideration of a grant agreement between Cheyenne Regional Medical Center and Laramie County, WY, in the amount of \$97,405 to fund implementation of the Law Enforcement Assisted Diversion Program to run through June 30, 2023. [22 - 464](#)

Attachments: [Agreement, CRMC, LEAD Grant, Sheriff](#)

Don Hollingshead, Sheriff's Dept, explained the Sheriff's Dept has been partnering with Cheyenne Regional Medical Center for the last two years. Mr. Hollingshead requested the county manage the grant. He noted the program defers individuals with mental health or substance abuse issues in lieu of incarceration so they can enter a treatment program and remain productive members of society. Mr. Hollingshead noted it is a benefit to the community.

Commissioner Malm spoke of the program. He noted it is an amazing program and thanked the Sheriff's Dept for taking on the program. Commissioner Malm said the program accomplishes many goals and gives people the needed resources to improve their lives while reducing the cost to the taxpayers.

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, Heath, Holmes, Malm

Excused: Lovett

10. Consideration of a grant agreement between WY Dept of Health, Public Health Division, and Laramie County, WY, for a Community Prevention grant in an amount not to exceed \$920,247 to run through June 30, 2024. [22 - 450](#)

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

This agenda item was approved.

11. Consideration of a resolution authorizing the submission of a grant application to the Dept of Justice for a FY22 Edward Byrne Memorial Justice Assistance Grant in the amount of \$68,074. The grant allocation is based on violent crime data and population, the City of Cheyenne Police Dept (\$54,443) and the Sheriff's Dept (\$13,631). [22 - 458](#)

Attachments: [Grant Application, Dept of Justice, Byrne JAG](#)

This agenda item was approved.

12. Consideration of the ratification of a resolution authorizing acceptance of a grant award from the WY Hospital Assoc for Health and Human Services in the amount of \$24,000 to provide staff retention funds to the Juvenile Detention Center. [22 - 457](#)

Attachments: [Resolution, WY Hospital Assoc, ARPA Award](#)

This agenda item was approved.

13. Consideration of four separate equipment/electricity contracts between Laramie County, WY, and Laramie County Fire Authority, Brandon Scott, Dan Cathcart and Gloria Merrill to provide electricity on an as-needed basis to heat Laramie County Public Works equipment. These agreements shall commence on July 1, 2022 and remain in full force and effect until June 30, 2023. [22 - 456](#)

Attachments: [FY23 Contract, Laramie County Fire Authority](#)
[FY23 Contract, Brandon Scott](#)
[FY23 Contract, Dan Cathcart](#)
[FY23 Contract, Gloria Merrill](#)

This agenda item was approved.

14. Consideration of a three-day malt beverage permit submitted by The Knotty Pine Saloon for an event Aug 8 - 10, 2022 at the Archer Complex. [22 - 475](#)

Attachments: [24-Hour Permit, The Knotty Pine Saloon, Aug 8-10, 2022](#)

This agenda item was approved.

15. Consideration of a malt beverage permit submitted by The Knotty Pine Saloon for an event on Aug 13, 2022 at the Archer Complex. [22 - 476](#)

Attachments: [24-Hour Permit, The Knotty Pine Saloon, Aug 13, 2022](#)

This agenda item was approved.

16. Consideration of an addendum to maintenance agreement and onsite support contract between Laramie County, WY, and DocuTek, Inc in the amount of \$1,500 to provide maintenance for a Minolta scanner located at County Clerk's Records Center. The term of the contract is from Aug 22, 2022 through Aug 22, 2023. [22 - 474](#)

Attachments: [Addendum and Contract, DocuTek, Inc](#)

This agenda item was approved.

17. Consideration of the second amendment to the e-commerce agreement (200901-39) between Laramie County, WY, and ASC Acquisition, LLC, dba ArcaSearch, LLC, in an amount not to exceed \$1,799 to renew access to indexes and records for e-commerce solution for a period of one year. [22 - 467](#)

Attachments: [Second Amendment, ArcaSearch, LLC](#)

This agenda item was approved.

- 18.** Consideration of the following fees collected by various County entities for June 2022: County Clerk, \$135,944.32; Sheriff, \$107,867.80; Clerk of District Court, \$15,047.50; Shooting Sports, \$12,765.63; Planning & Development, \$491,772.78; Circuit Court, \$56,536.00; DUI Court, \$1,140.00; Drug Court, \$290.00. [22 - 479](#)

Attachments: [June Fees 2022](#)

This agenda item was approved.

- 19.** Consideration of the following part-time salaries in the amount of \$51,603.93 for July 2022: Grants, \$1,999.72; Planning, \$778.93; Shooting Sports, \$5,961.61; Events Dept, \$1,662.00; Buildings/Maintenance, \$21,301.11; Sheriff Operations, \$4,635.89; Detention, \$13,377.12; District Court, \$459.48; Drug/DUI Courts, \$1,428.07. [22 - 480](#)

Attachments: [July Part-time Salaries 2022](#)

This agenda item was approved.

- 20.** Consideration of warrants in the amount of \$5,133,870.39 for July 2022. [22 - 481](#)

Attachments: [July Warrants 2022](#)

This agenda item was approved.

Grants

- 21.** Consideration of an agreement between Laramie County, WY, and Vermeer Colorado in an amount not to exceed \$121,900 to purchase a trailer-mounted excavator for Public Works. [22 - 465](#)

Attachments: [Agreement, Vermeer Colorado](#)

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, Heath, Holmes, Malm

Excused: Lovett

- 22.** Consideration of two ARPA nonprofit subrecipient agreements between Laramie County, WY, and the Cheyenne Kiwanis Club Foundation, \$130,039.14, and the Pine Bluffs Lions Club, \$4,000. Agreements are to run through May 31, 2023. [22 - 466](#)

Attachments: [Agreements, ARPA Nonprofits](#)

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, Heath, Holmes, Malm

Excused: Lovett

Contract/Agreement/Leases

- 23.** Consideration of a utility easement between Laramie County, WY, and the City of Cheyenne through its Board of Public Utilities.

[22 - 454](#)

Attachments: [Utility Easement, City of Cheyenne through BOPU](#)

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, Heath, Holmes, Malm

Excused: Lovett

- 24.** Consideration of an agreement between Laramie County, WY, and Big Al's Auto & Exhaust to provide automotive services and related products.

[22 - 453](#)

Attachments: [Agreement, Big Al's Auto & Exhaust](#)

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, Heath, Holmes, Malm

Excused: Lovett

- 25.** Consideration of an agreement between Laramie County, WY, and the Cheyenne Animal Shelter in an amount not to exceed \$272,000 to provide animal shelter services as set forth in the agreement. The term of this agreement shall be July 1, 2022 through June 30, 2023.

[22 - 459](#)

Attachments: [Agreement, Cheyenne Animal Shelter](#)

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, Heath, Holmes, Malm

Excused: Lovett

Public Hearings/Rules & Reg's

26. Consideration of a resolution giving public notice of Laramie County's intent to amend the amended 2019 Laramie County Land Use Regulations.

[22 - 468](#)

Attachments: [Notice of Intent to Amend 2019 Laramie County Land Use Regulations](#)

Justin Arnold, Planning, said the purpose of the notice is to open the 45-day comment period to amend the Laramie County Land Use regulations. Mr. Arnold read the proposed amendments.

Commissioner Holmes said there are no significant changes with minor tweaks to the regulations. He noted the Supreme Court ruling, which struck down the county's rules and regulations in the unzoned parts of the county.

Chairman Thompson talked about comments on various projects throughout the year. He noted this is the time for residents to recommend improvements to the rules and regulations.

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

Aye: Thompson, Heath, Holmes, Malm

Excused: Lovett

Land Use:Variances/Board App./Plats

27. PUBLIC HEARING regarding a Zone Change from A2 - Agricultural to AR - Agricultural Residential for a portion of the SW1/4 of Sect 30, T14N, R65W, of the 6th PM, Laramie County, WY.

[22 - 469](#)

Attachments: [City of Cheyenne, Zone Change](#)

Justin Arnold, Planning, said Steil Surveying, consultant, submitted a Zone Change application on behalf of the City of Cheyenne for property located at 3425 Christensen Rd. The application was submitted to change the zone district from Agricultural - A2 to Agricultural Residential - AR. The zone change enables a conforming lot size within the AR Zoning District. Another project, an administrative plat called the Rex Addition, creates one tract and will be in conformance with zoning district requirements upon its approval. The city will decide the future land use.

Mr. Arnold 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. Hearing no

PUBLIC COMMENT, Chairman Thompson closed the hearing.

A motion was made by Commissioner Holmes, seconded by Commissioner Malm, to approve a zone change from A2 - Agricultural to AR - Agricultural Residential for a portion of the SW1/4 Sect 30, T14N, R65W, of the 6th PM, Laramie County, WY, and adopt the findings of fact a and b of the staff report as well as the attached Exhibit A Map. The motion carried by the following vote:

Aye: Thompson, Heath, Holmes, Malm

Excused: Lovett

28. PUBLIC HEARING regarding a Subdivision Permit and Plat for Homestead Estates, located in a portion of the N1/2 Sect 18, T13N, R68W, of the 6th PM, Laramie County, WY.

[22 - 470](#)

Attachments: [Homestead Estates, Subdivision Permit & Plat](#)

Justin Arnold, Planning, said Lovas Engineering on behalf of Swagger Construction, LLC, submitted a Subdivision Permit and Plat application for Homestead Estates, located southeast of the I-80/Otto Rd junction. The application was submitted to subdivide the approximately 254-acre parcel into 45 single-family residential tracts.

Chris Lovas, Lovas Engineering and agent for the applicant, said there are three proposed accesses to Otto Rd. Mr. Lovas noted he has been in contact with Fire Dist #10 and on the district's recommendation, a 30,000-gallon cistern will be installed. Mr. Lovas noted a floodplain analysis will be conducted as part of the civil engineering infrastructure design and submittal package to the county. Mr. Lovas spoke about three notes that WY DEQ has requested be added to the plat.

Mr. Arnold said based on evidence provided, staff recommends approval of the subdivision permit and plat with the adoption of findings of fact a with two conditions: 1) All clerical errors and missing information on the plat must be addressed prior to recordation and 2) DEQ's required notes must be added to the plat prior to final approval.

Chairman Thompson opened the hearing for PUBLIC COMMENT. Mark Eisele, resident, expressed his concerns about a fiber optic line, TCE plume, the depth of water wells, fencing, the road plan and drainage. Hearing no further PUBLIC COMMENT, Chairman Thompson closed the hearing.

Chairman Thompson asked about the WY DEQ requested notes to the plat. Jason Fernandez, professional engineer for WY DEQ, spoke about the DEQ's adverse recommendation because of nitrate levels which exceed the standards and the recommendation to install nitrate removing systems. He said the TCE plume could be

filtered out with activated carbon filters, the arsenic could be filtered out with microfilters and water softeners could reduce the iron. Mr. Fernandez said a one-time test for nitrate levels and arsenic would be sufficient. Commissioner Malm spoke about a required test for government-backed loans. Roy Kroeger, Health Dept, said E. coli and coliform testing are performed for every mortgage inspection and an additional test could be added for TCE. Mr. Arnold noted with the new software the county is adopting, the tests could be required for permitting. Mr. Kroeger said if a permit is requested for the subdivision, the Dept of Health has a way to ensure that advanced sewage systems are installed on the property.

Chairman Thompson questioned if there was a fiber optic line on the property. Mr. Lovas said an existing fiber optic line and easement transverses the northern part of the property. He noted roads could be built over the easement but not homes. Commissioner Malm asked if a drainage study would be completed. Mr. Lovas confirmed a preliminary study had been completed with a final study that addresses the hydrology and design of the drainage conveyances, hydraulics will be submitted with the civil engineer infrastructure design package.

There was a discussion about a TCE plume and the Board decided to postpone this item until the Sept 6, 2022 meeting to obtain more information. Mr. Lovas agreed to the postponement for the Board to better understand the subdivision and the ramifications for future homeowners. Chairman Thompson requested a copy of the study and the historical maps and asked Mr. Eisele to give the Board more information on testing to the north of the property.

John Wetstein, Engineering Associates, talked about the TCE plume report referenced by the Board. He further clarified that in figure 12 of the report, the overlay on the map was a 2015 plume showing that in the last five years the plume had shrunk immediately south of the proposed development.

A motion was made by Commissioner Malm, seconded by Commissioner Heath, to postpone this item. The motion carried by the following vote:

Aye: Thompson, Heath, Holmes, Malm

Excused: Lovett

- 29.** PUBLIC HEARING regarding a Subdivision Permit and Plat for Tiley Subdivision, located in a portion of the S1/2 S1/2 SE1/4 Sect 6, T4N, R62W, Laramie County, WY.

[22 - 473](#)

Attachments: [Tiley Subdivision, Subdivision Permit and Plat](#)

Justin Arnold, Planning, said Inberg-Miller Engineers, on behalf of Randy and Janel Tiley, submitted a Subdivision Permit and Plat application for Tiley Subdivision, located just west of State Hwy 213 and just north of the Town of Burns boundary. The application was submitted to subdivide 38.72 acres into five separate residential

tracts.

Mr. Arnold recommended the Board postpone this item until the applicant can represent themselves for approval of the subdivision permit and plat before the Board.

Chairman Thompson noted that a few meetings ago, applicants were not present but the Board still proceeded with the approval. The Board directed Mr. Arnold to proceed with the recommendation from the staff report. Mr. Arnold said based on evidence provided, staff recommends approval of the subdivision permit and plat with the adoption of findings of fact a with no conditions.

Chairman Thompson asked staff if applicants were made aware that there needed to be representation at the public hearing. Mr. Arnold said applicants are aware of the application submittal and public hearing dates.

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

The Board discussed the need for representation of the project and the ability of the Board and the public to ask questions. Chairman Thompson directed staff to make applicants aware that representation is required and that if there is no representation, then the hearing will be postponed.

A motion was made by Commissioner Heath, seconded by Commissioner Holmes, to postpone this item until the Sept 6, 2022 meeting. The motion carried by the following vote:

Aye: Thompson, Heath, Holmes, Malm

Excused: Lovett

The meeting adjourned at 5:00 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, Aug 2, 2022.

Approved by : Debra K. Lee, County Clerk

Reviewed by : Troy Thompson, 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 lchr320@laramiecounty.com at least two business days prior to the meeting.