

Minutes of the Proceedings
Board of County Commissioners
Prepared by the Office of the Clerk of Laramie County
Laramie County Wyoming

Tuesday, June 15, 2004

- 040615 00** The Laramie County Board of Commissioners met in regular session Tuesday, June 15, 2004 at 3:30 p.m. Those in attendance were Commissioner Jack Knudson, Chairman; Commissioner Jeff Ketcham, Vice-Chairman; Commissioner Diane Humphrey; County Attorney Peter Froelicher; Assistant County Attorney Mark Voss; County Clerk Debbye Lathrop and Assistant County Clerk Rhonda Reed.

Those signing the register included: Don Beard, Laramie County Public Works; Carl Moody; Dianne Steele; Bill Hein; John Steil, Steil Surveying; D.J. Cummings; Skip Eshelman; Robert Cook; Paula Qualls; Yvonne Ware; Gus Lopez, City/County Health Department; C.J. McCabe, UW Cooperative Extension; Joni Frantz, UW Cooperative Extension; Tom Campbell, Circuit Court; Joe Morelli, CO\$T; Roy Kroeger, City/County Health Department; Cathy Heatherington, Planning; John Kluever, Grants Manager; Chris Carter; Bill Long, Laramie County Sheriff's Department; Chris Wegner, Buildings and Grounds; Lisa Pafford, City/County Development; Emily Smith, Human Resources; Louise Raimondi; Tom Kent, AVI; Jim Cochran; Diane Gudenkauf.

- 01** Commissioner Ketcham moved to approve the Minutes of Proceedings for May 28, June 1, and June 8, 2004. Commissioner Humphrey seconded the motion, which passed unanimously.
- 02** County Attorney Peter Froelicher presented the proposed amendment to The Cheyenne-Laramie County Subdivision/Development Regulations 2000 providing for an open space design option for new subdivisions. County Planner Mark Reid gave a slide presentation illustrating the specific changes, stressing this change would allow an option to developers seeking to develop areas in unincorporated Laramie County outside the zoned (D) area with a higher density than the current one dwelling per 10-acre tract. Chairman Knudson opened the meeting as a PUBLIC HEARING. John Steil, Steil Surveying Services, spoke in favor of the amendment, saying there may be nitrate concentration issues in the view of the Department of Environmental Quality as they are currently not using the open space area in their concentration calculations. Mr. Steil suggested that the Board of Commissioners approach the DEQ to encourage cooperation in the open-space development option. Paul Qualls, 2316 S. 5th Avenue, spoke as a member of the Regional Planning Commission, stating this concept was well received by the Planning Commission and personally encouraged adoption of the amendment. Hearing no further comment, Chairman Knudson closed the PUBLIC HEARING. County Attorney Peter Froelicher stated the comment period has now passed. Commissioner Ketcham moved to

postpone consideration of the adoption of the amendment until the next regular meeting, and directed County Planner Mark Reid to establish a meeting with representatives of the DEQ during that time. Commissioner Humphrey seconded the motion, which passed unanimously.

- 03** County Clerk Accounting Department Manager Bob Cook presented the following Fiscal Year 2004 budget amendments: Appropriate \$106,220 from cash reserves for the payment of public defender services; appropriate \$2,000 from the HIDTA grant to close out the program; appropriate \$3,925 from the Speed Enforcement grant to close out the program; appropriate \$15,000 from cash reserve to pay for unanticipated expenses for forensic autopsies; appropriate \$200,000 from the Wyoming Business Council to be passed through to the COMEA shelter to construct a transitional living unit; appropriate \$6,000 from the Wyoming Department of Family Services of additional grant money for the JAIBG program; transfer \$73,250 from optional one percent sales tax health and welfare money to the Health Department to match the West Nile Virus grant they received from the Wyoming Department of Agriculture; appropriate \$13,065 of grant money from the State Land and Water Conservation fund to assist with the construction of a pocket park in Allison Draw; transfer \$13,065 from Community Facilities Reserve to cover the 50 percent match; appropriate \$4,250 of grant money from the Laramie County Recreation Board; appropriate \$250 from the Laramie County Conservation District; appropriate \$10,000 from the Wyoming Department of Family Services TANF program to conduct a survey of human services; transfer \$2,000 from the WCDA rehab projects to reimburse the County for administration costs; appropriate \$956,324 for the Homeland Security grant passed through the state Grant III; appropriate \$257,514 from various sources to the E911 fund for construction and equipment--\$136,255 from County cash reserves, \$121,259 from the City of Cheyenne; transfer \$11,000 from the Abandon Vehicle reserve to be used for storage and towing of abandon vehicles; transfer \$20,000 from building reserves to building repairs and maintenance to cover unanticipated repair expenses; transfer \$50,000 from County Cash reserves to utilities accounts to cover unanticipated expenses; transfer \$6,700 from County Nuisance reserve and \$10,920 from Community Facilities Reserve; appropriate \$13,580 of unanticipated Community Facilities fees to cover unanticipated expenses; transfer \$12,000 from Real Estate Division payroll line item to the Records Center division; appropriate \$206,964 SLIB Grant--reserves budget amendment 2004-002 from September 2, 2004 budget for this program; transfer the balance of the SPOT 2000 construction fund to a new fund to account for the use of O&M money for the jail expansion and warning system projects.
- 04** Jon Ware, local contractor, presented a petition signed by Laramie County residents requesting revocation of the building codes. Mr. Ware stated he had additional signatures to present at a later date. Commissioner Ketcham moved to accept the petition and schedule a special meeting to be held at 7:00 p.m. on Thursday, June 17th in the Commissioners' Board Room and have reports from County Planner Mark Reid and financial reports from the County Clerk. Commissioner Humphrey seconded the motion, which passed

unanimously. Documentation is filed in central files with the County Clerk.

- 05** CJ McKay, representing University of Wyoming Agriculture Extension Agent Phil Roselund, presented a resolution declaring Laramie County to be an agric-business disaster area. Commissioner Ketcham moved to approve the resolution. Commissioner Humphrey seconded the motion, which passed unanimously. The resolution is filed in central files with the County Clerk.
- 06** County Attorney Peter Froelicher presented an extension to contract 020319-08 between Laramie County and American Medical Response of Colorado to extend the contract through June 30, 2004 and by written agreement to extend it through December 31st, 2005. Mr. Froelicher stated provisions of the contract are being negotiated between the City of Cheyenne and AMR; this extension would permit continued operation until those negotiations are complete. Commissioner Ketcham moved to approve the extension. Commissioner Humphrey seconded the motion, which passed unanimously. Documentation is filed in central files with the County Clerk.
- 07** Human Resource Director Emily Smith presented a group contract addendum between Laramie County and WIN Health Partners, Inc. presenting criteria and rates for plan year July 1, 2004 to June 30, 2005. Mrs. Smith reported the premium increase for the new coverage period is less than one percent. Commissioner Humphrey moved to approve the contract addendum. Commissioner Ketcham seconded the motion, which passed unanimously. The addendum is filed in central files with the County Clerk.
- 08** County Attorney Peter Froelicher presented a contract between Laramie County and David Serelson to pay reasonable compensation for legal services and costs of counsel for indigent parents as appointed by the Laramie County District Court pursuant to W.S. 14-3-422(b) in the amount of \$20,000 to run July 1, 2004 through June 30, 2005. Commissioner Ketcham moved to approve the contract. Commissioner Humphrey seconded the motion, which passed unanimously. The agreement is filed in central files with the County Clerk.
- 09** County Attorney Peter Froelicher presented a legal services agreement between Laramie County and John Frentheway for a guardian ad litem, which would pay reasonable compensation for services and costs of counsel appointed by the Laramie County District Court for children in need of supervision pursuant to W.S. 14-6-235 in the amount of \$40,000 to run July 1, 2004 through June 30, 2005. Commissioner Humphrey moved to approve the agreement. Commissioner Ketcham seconded the motion, which passed unanimously. The agreement is filed in central files with the County Clerk.
- 10** County Grants Manager John Kluever presented an agreement between Laramie County and Anderson Consulting Engineers, Inc. to convert the existing Laramie County Flood Insurance Rate Maps to a digital format in the amount of \$390,000 to run June 15, 2004 through March 31, 2006. Mr. Kluever stated this project is being funded through grant funds from FEMA, and the required match in an amount of approximately \$130,000 is being made through our GIS Cooperative as an in-kind match. Commissioner

Ketcham moved to approve the agreement. Commissioner Humphrey seconded the motion, which passed unanimously. The agreement is filed in central files with the County Clerk.

- 11** Buildings Manager Chris Wegner presented an agreement between Laramie County and Swire Coca-Cola to allow for placement of contractor's vending machines in Laramie County buildings to run July 1, 2004 through June 30, 2005. Commissioner Humphrey moved to approve the agreement. Commissioner Ketcham seconded the motion, which passed unanimously. The agreement is filed in central files with the County Clerk.
- 12** Buildings Manager Chris Wegner presented an agreement between Laramie County and Cheyenne Vending to allow for placement of contractor's vending machines in Laramie County buildings to run July 1, 2004 through June 30, 2005. Commissioner Ketcham moved to approve the agreement. Commissioner Humphrey seconded the motion, which passed unanimously. The agreement is filed in central files with the County Clerk.
- 13** Buildings Manager Chris Wegner presented an agreement between Laramie County and S & H Industries to allow for placement of contractor's vending machines in Laramie County buildings to run July 1, 2004 through June 30, 2005. Commissioner Ketcham moved to approve the agreement. Commissioner Humphrey seconded the motion, which passed unanimously. The agreement is filed in central files with the County Clerk.
- 14** County Attorney Peter Froelicher presented a contract for legal services between Wallace L. Stock, Attorney at Law, and Laramie County to provide legal counsel to the Laramie County Commissioners acting as the Laramie County Board of Equalization as well as hearing officer for the 2004 appeal hearings in the amount of \$100 per hour to run through December 31, 2004. Commissioner Humphrey moved to approve the contract. Commissioner Ketcham seconded the motion, which passed unanimously. The contract is filed in central files with the County Clerk.
- 15** County Grants Manager John Kluever presented an agreement between Laramie County and Juvenile Electronic Management Services (JEMS) to provide alternative sentencing programs for juveniles to run July 1, 2004 to June 30, 2005. Commissioner Ketcham moved to approve the agreement. Commissioner Humphrey seconded the motion, which passed unanimously. The agreement is filed in central files with the County Clerk.
- 16** Buildings Manager Chris Wegner presented an addendum to a service agreement between Laramie County, Wyoming and Schindler Elevator Corporation for the additional elevator in the new detention facility in the amount of \$1,740 to run July 1, 2004 through June 30, 2005. Commissioner Humphrey moved to approve the addendum. Commissioner Ketcham seconded the motion, which passed unanimously. After obtaining all signatures, the addendum is to be filed in central files with the County Clerk.
- 17** Captain Bill Long presented an agreement between Laramie County and CBM Correctional Food Service for food service to be provided in the Laramie County Detention Facility in the amount of \$1.40 per standard meal

and snacks at a 20 percent mark up to run July 1, 2004 through June 30, 2005. Commissioner Ketcham moved to approve the agreement. Commissioner Humphrey seconded the motion, which passed unanimously. The agreement is filed in central files with the County Clerk.

- 18** Buildings Manager Chris Wegner presented a service agreement between Laramie County and Ameri-Tech HVAC Services, Inc. to provide for the service and maintenance of County's heating, ventilating, and air conditioning systems in the amount of \$83,700 to run July 1, 2004 through June 30, 2005. Mrs. Wegner stated the increase in the contract amount from last fiscal year is due to the detention facility addition. Commissioner Ketcham moved to approve the agreement. Commissioner Humphrey seconded the motion, which passed unanimously. The agreement is filed in central files with the County Clerk.
- 19** County Planner Mark Reid presented Amendment No. 2 to the contract for sale of property between the University of Wyoming Board of Trustees and Laramie County. Commissioner Humphrey moved to approve the amendment. Commissioner Ketcham seconded the motion, which passed unanimously. After obtaining all signatures, the amendment is to be filed in central files with the County Clerk.
- 20** Public Works Director Don Beard presented an agreement between Laramie County and H.W. Lochner, Inc. for consulting services to furnish engineering services for the Campstool Road Project as described in Article (1) Section C, scope of work, not to exceed \$85,873 to run June 15, 2004 to March 9, 2005. Commissioner Ketcham moved to approve the agreement. Commissioner Humphrey seconded the motion, which passed unanimously. After obtaining all signatures, the agreement is to be filed in central files with the County Clerk.
- 21** Captain Bill Long presented a contract between Laramie County and Frontier Corrections for housing juveniles in the amount of \$324,000 to run July 1, 2004 through June 30, 2005. Captain Long stated the contract did not include any increase in cost from the prior fiscal year. Commissioner Ketcham moved to approve the contract. Commissioner Humphrey seconded the motion, which passed unanimously. The contract is filed in central files with the County Clerk.
- 22** Captain Bill Long presented a contract between Laramie County and Correctional Health Care Management to provide medical services for inmates in the amount of \$769,344 to run July 1, 2004 through June 30, 2005. The only modification from the previous contract is a provision calling for additional payment for medications after a certain dollar amount as specified in the contract. Commissioner Humphrey moved to approve the contract. Commissioner Ketcham seconded the motion, which passed unanimously. The contract is filed in central files with the County Clerk.
- 23** County Clerk Debbye Lathrop presented a Malt Beverage permit submitted by Roy DiSenso for the mud races to be held in Carpenter, Sunday, June 27th. Commissioner Ketcham moved to approve the permit. Commissioner Humphrey seconded the motion, which passed unanimously.

Documentation is filed in central files with the County Clerk.

- 24** Commissioner Ketcham moved to approve a resolution reappointing Greg Bybee to the Board of Directors of the Eastern Laramie County Solid Waste Disposal District to run July 1, 2004 through June 30, 2007. Commissioner Humphrey seconded the motion, which passed unanimously. After obtaining all signatures, the resolution is to be filed in central files with the County Clerk.
- 25** Circuit Court Judge Tom Campbell presented the nomination of part-time magistrates for the Circuit Court of the First Judicial District, Laramie County, State of Wyoming, to serve under W.S. 5-9-210(b) requiring the Board of County Commissioners to approve the selection of nominees. The persons being nominated include local attorneys David Serelson and Robert Rose and staff members Brenda Rath, Linda Hudson, and Diane Siglin for the purpose of performing marriages only. Judge Campbell stated the precipitating event to cause these magistrate appointments is the announcement of the retirement of Judge Robert Allen. Commissioner Humphrey moved to approve the nominations. Commissioner Ketcham seconded the nominations, which passed unanimously. The resolution is filed in central files with the County Clerk.
- 26** Public Works Director Don Beard presented bids for various County road paving projects. Simon Contractors was the low bidder in the amount of \$1,489,602.20. Roads covered include Westedt Road, Iron Mountain Road, and Railroad Road. Commissioner Humphrey moved to approve the low bid from Simon Contractors. Commissioner Ketcham seconded the motion, which passed unanimously. The bids were not received into record.
- 27** John Steil, Steil Surveying Services, presented a Preliminary Plat for Prairie Breeze Ranch, a portion of the N1/2NW1/4 of Section 3, T.14N., R.67W., 6th P.M., Laramie County, Wyoming (located south of and adjacent to Horse Creek Road, approximately 1/2 mile west of Blazer Road). The plat will divide 51.72 acres into 9 tracts. This was approved by the Regional Planning Commission. Lisa Pafford, City/County Development Office, stated there was a recommendation to discuss the zone change required, easement issues, and the name. The Planning Commission approved the preliminary plat with recommendations that easement issues be resolved, and the plat be renamed. County Planner Mark Reid stated the Comprehensive Plan recommends one dwelling unit per 10-acre tract, and this plat is for one dwelling unit per 5-acre tract. County Attorney Peter Froelicher indicated the developer should be provided an opportunity to explain how the zone change fits with the Comprehensive Plan. Mr. Steil stated his conversation with the Deputy County Attorney indicated the use would not differ from the Land Use Plan. Mr. Froelicher indicated Mr. Steil had pointed out an inconsistency with the density of the comprehensive plan compared to those subdivisions in the area by stating the subdivisions lying south of Horse Creek Road are all 5-acre tracts, while those lying North of Horse Creek Road are 10-acre tracts. Don Beard stated an access permit would be required from the Wyoming Department of Transportation as the access is from a state highway. Chairman Knudson opened the meeting as a PUBLIC HEARING. Paul

Qualls, member of the Regional Planning Commission, stated the question of whether or not the Comprehensive Plan would be required to be changed in order to approve the zone change was asked, and the answer presented was that the use was not being changed; therefore, the plan would not need to be modified. Hearing no further public comment, the Chairman closed the PUBLIC HEARING. Commissioner Ketcham moved to approve the preliminary plat. Commissioner Humphrey seconded the motion, which passed unanimously. Documentation is filed in central files with the County Clerk.

- 28** John Steil, Steil Surveying Services, presented a Preliminary Plat of Willadsen Estates, 2nd Filing, a portion of the east half of Section 19 and in the west half of Section 20, T.13N., R.69W., 6th P.M., Laramie County, Wyoming (located 1 mile east of Harriman Road and approximately 2 miles south of I-80). Lisa Pafford, City/County Development Office, stated the average tract density is 10.2 acres per tract, and the Planning Commission recommended approval of the preliminary plat on a vote of 9-0. Chairman Knudson opened the meeting as a PUBLIC HEARING. Hearing no comment, the Chairman closed the PUBLIC HEARING. Commissioner Humphrey moved to approve the preliminary plat. Commissioner Ketcham seconded the motion, which passed unanimously. Documentation is filed in central files with the County Clerk.
- 29** Tom Kent, AVI Engineering, presented a Preliminary Plat for HR Ranch, Third Filing, a parcel of land situated in a portion of Section 35 and 36, T.14N., R.65W., and Section 31, T.14N., R.64W., 6th P.M., Laramie County, Wyoming (located 8-miles east of Cheyenne along Hales Ranch Road, approximately 3/4-miles north of Campstool Road). Mr. Kent stated the plat is being developed in accordance with the open-space design concept. Roy Kroger, City/County Health Department, stated a lot size variance has been developed to put septic systems on lots of a size smaller than the one-acre and five-acre minimums established in the small waste water regulations. Chairman Knudson opened the meeting as a PUBLIC HEARING. Hearing no comment, Chairman Knudson closed the PUBLIC HEARING. Commissioner Ketcham moved to approve the preliminary plat subject to approval of the amendment to the Cheyenne-Laramie County Subdivision/Development Regulations 2000 providing for an open-space design option for new subdivisions. Chairman Knudson seconded the motion, which passed on a vote of two in favor, with Commissioner Humphrey abstaining due to a conflict of interest. Documentation is filed in central files with the County Clerk.
- 30** John Steil, Steil Surveying Services, presented a Preliminary Plat for Aspen Pointe, the NE1/4SE1/4, E1/2NW1/4SE1/4 and the east 40.00 feet of the W/12NW1/4SE1/4 of Section 19, T.14N., R.65W., 6th P.M., Laramie County, Wyoming (located west of and adjacent to Reese Road, approximately 1/4 mile north of U.S. Highway 30). The plat consists of 61 plus acres to be divided into 12 lots, averaging 5 acres in size. The preliminary plat was approved by the Regional Planning Commission. Chairman Knudson opened the meeting as a PUBLIC HEARING. Hearing no public comment,

Chairman Knudson closed the PUBLIC HEARING. Commissioner Ketcham moved to approve the preliminary plat, with the recommendations of the Development Office. Commissioner Humphrey seconded the motion, which passed unanimously. Documentation is filed in central files with the County Clerk.

- 31** Captain Bill Long presented a request to dispose of a 2000 Ford Crown Victoria to be used as a trade-in to Spradley Ford in the amount of \$4,500. Commissioner Humphrey moved to approve the disposal of the 2000 Ford Crown Victoria. Commissioner Ketcham seconded the motion, which passed unanimously. Documentation is filed in central files with the County Clerk.
- 32** County Planner Mark Reid requested the credit application to CitiCapital for the purpose of leasing a Minolta copier/printer/fax be withdrawn. Commissioner Ketcham moved to withdraw the request. Commissioner Humphrey seconded the motion, which passed unanimously. Documentation is filed in central files with the County Clerk.
- 33** Building Manager Chris Wegner presented an agreement between Laramie County and Pepsi Cola, Seven-Up Bottling Company to allow for placement of contractor's vending machines in Laramie County Buildings. Commissioner Ketcham moved to approve the agreement. Commissioner Humphrey seconded the motion, which passed unanimously. The agreement is filed in central files with the County Clerk.
- 34** Tina Baldino and Bill Mai, representing the Cheyenne Animal Shelter, requested funding for fiscal year 2005 in the amount of \$209,354 which would be an increase of \$36,869 from the 2005 request according to the ten-year contractual amount established at the time revenue bonds were issued. In response to a question from Chairman Knudson to detail the reasoning behind the request for the additional funding, Mr. Mai stated approximately 1/2 of the additional money would go toward increased utility costs for the enlarged shelter. Mr. Mai also stated the shelter incurs expenses for veterinary services currently provided by local veterinarians and would like to hire a staff veterinarian. Commissioner Ketcham asked what the current fiscal year veterinarian costs have been. Mr. Mai stated approximately \$5,000 including the snip and spay program. Commissioner Ketcham asked about the current status of the search for a new director. Ms. Baldino stated they have had numerous applications and are actively attempting to hire a director. Louise Raimondi, 3105 Iron Mountain Road, stating she was the previous Treasurer for the Board, questioned including revenues for the snip program being included in operating expenses as it these monies were to be placed in a restricted fund which was originally funded through an initial donation and various fund raisers. Mrs. Raimondi recommended taking that \$30,000 from the operational budget expense. Mr. Mai stated the snip account is now being funded from the operational funding. Commissioner Humphrey asked if the shelter has annual audits. Mr. Mai stated there was an audit in December, but prior to that it had been a while. Commissioner Ketcham asked that a copy of the most recent audit be provided to the County Clerk. Ms. Baldino stated a copy would be provided tomorrow.

Chairman Knudson asked the County Attorney to clarify the contractual status of the service being provided. Commissioner Ketcham moved to extend the existing contracts with the Animal Shelter and Animal Control for a period of one month. Commissioner Humphrey seconded the motion, which passed unanimously.

Commissioner Ketcham moved to adjourn the meeting. Commissioner Humphrey seconded the motion. The meeting adjourned at 5:55 p.m.

CERTIFICATION

I, Debra K Lathrop, Clerk of Laramie County, do hereby certify the above to be a true and correct copy of the Minutes of the Proceedings for Tuesday, June 15, 2004

SEAL

Approved by : _____

Debra K. Lathrop
County Clerk

Reviewed by : _____

Board of County
Commissioners

This information is available in alternate forms. If reasonable accommodations are required, contact Laramie County Human Resources, 310 West 19th Street, Cheyenne, WY 82001, (307)633-4355 within a reasonable time.