

Board of County Commissioners

Minutes of the Proceedings - Draft

Historic Courthouse
310 W 19th Street
Cheyenne, WY 82001



Tuesday, April 6, 2021

3:30 PM

Commissioners Board Room

Roll Call/Call to Order

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

Minutes

1. Consideration of the Minutes of Proceedings for March 2, 2021.

[21 - 116](#)

Attachments: [Draft Minutes March 2, 2021](#)

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

Aye: Malm, Holmes, Heath, Lovett, Thompson

2. Consideration of the Minutes of Proceedings for the March 17, 2021, special meeting of a Declaration of Emergency in Laramie County, WY.

[21 - 124](#)

Attachments: [Draft of the Special Meeting March 17, 2021 Minutes](#)

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

Aye: Malm, Holmes, Heath, Lovett, Thompson

Consent Agenda

Approval of the Consent Agenda

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

Aye: Malm, Holmes, Heath, Lovett, Thompson

3. Consideration of petitions for a tax refund for tax year 2018 for EOG Resources Inc., on applications 18-08, 18-09, and 18-18 in the amount of \$41,945.82.

[21 - 109](#)

Attachments: [2018 Tax Refund Petition 18-08, EOG Resources, Inc.](#)
[2018 Tax Refund Petition 18-09, EOG Resources, Inc.](#)
[2018 Tax Refund Petition 18-18, EOG Resources, Inc.](#)

This agenda item was approved.

4. Consideration of an addendum to the service agreement between Laramie County, WY, and Meridian Fire and Security, LLC, to provide testing and inspection services of the fire alarm detection systems at the Juvenile Detention Center as described in attachment A in the amount of \$1,366. [21 - 117](#)

Attachments: [Addendum, Meridian Fire and Security, LLC, Juvenile Detention Center](#)

This agenda item was approved.

5. Consideration of an addendum to the service agreement between Laramie County, WY, and Meridian Fire and Security, LLC, to provide testing and inspection services of the fire alarm detection systems at the Detention Center as described in attachment A in the amount of \$3,981. [21 - 118](#)

Attachments: [Addendum, Meridian Fire and Security, LLC, Adult Detention Center](#)

This agenda item was approved.

6. Consideration of the adoption of the Laramie County Grant Policies and Procedures Handbook. [21 - 126](#)

Attachments: [Grant Policies and Procedures Handbook](#)

This agenda item was approved.

7. Consideration of a catering permit submitted by The Knotty Pine Saloon for the 2021 Mule Deer Foundation banquet at the Archer Complex on April 10, 2021. [21 - 114](#)

Attachments: [The Knotty Pine Saloon 24-hour Catering Permit April 10, 2021](#)

This agenda item was approved.

8. Consideration of a two-day catering permit submitted by Bullseye Operations, LLC, dba Outlaw Saloon, 312 S. Greeley Hwy., back lot of bar, for music concerts on May 28 and 29, 2021. [21 - 139](#)

Attachments: [Catering Permit, Outlaw Saloon, May 28 and 29, 2021](#)

This agenda item was approved.

9. Consideration of a catering permit submitted by Bullseye Operations, LLC, dba Outlaw Saloon, 312 S. Greeley Hwy., back lot of bar, for a music concert on June 5, 2021. [21 - 140](#)

Attachments: [Catering Permit, Outlaw Saloon, June 5, 2021](#)

This agenda item was approved.

10. Consideration of a three-day catering permit submitted by Bullseye Operations, LLC, dba Outlaw Saloon, 312 S. Greeley Hwy., back lot of bar, for a music concert and shows on June 25, 26, and 27, 2021. [21 - 141](#)

Attachments: [Catering Permit, Outlaw Saloon, June 25, 26, and 27, 2021](#)

This agenda item was approved.

11. Consideration of the following fees collected by various County entities for Feb. 2021: County Clerk, \$130,372.90; Sheriff, \$96,152.29; Clerk of District Court, \$17,763.89; Shooting Sports, \$11,057.97; Planning & Development, \$114,631.96; Circuit Court, \$39,549.00; DUI Court, \$1,375.00; Drug Court, \$1,455.00. [21 - 133](#)

Attachments: [Feb. Fees 2021](#)

This agenda item was approved.

12. Consideration of the following part-time salaries in the amount of \$34,341.32 for March 2021: Planning, \$710.00; Shooting Sports, \$3,781.91; Events Dept., \$1,878.75; Buildings/Maintenance, \$16,219.71; Sheriff Operations, \$1,800.00; Detention, \$7,902.02; District Court, \$1,237.50; Drug Court, \$811.43. [21 - 134](#)

Attachments: [March Part-time Salaries 2021](#)

This agenda item was approved.

13. Consideration of warrants in the amount of \$862,617.98 for March 2021. [21 - 135](#)

Attachments: [March Warrants 2021](#)

This agenda item was approved.

Proclamations

14. Consideration of a resolution proclaiming the week of April 11-17, 2021, as National Public Telecommunicators Week. [21 - 137](#)

Attachments: [Resolution Proclaiming April 11-17 as National Public Telecommunicators Week](#)

A motion was made by Commissioner Lovett, seconded by Commissioner

Heath, that this agenda item be approved. The motion carried by the following vote:

Aye: Malm, Holmes, Heath, Lovett, Thompson

Grants

- 15.** PUBLIC HEARING for the FFY22 Temporary Assistance to Needy Families Community Partnership Initiative grant application. (Non-action item) [21 - 125](#)

Attachments: [FFY22 TANF Public Hearing Notice](#)

Sandra Newland, Grants, explained the purpose of the public hearing.

Chairman Malm opened the hearing for PUBLIC COMMENT. Kristin Custis, Big Brothers Big Sisters of Laramie County, and Misty Savage, Climb Wyoming, spoke about their programs. Hearing no further PUBLIC COMMENT, Chairman Malm closed the hearing.

The notice was received and filed.

- 16.** Consideration of a resolution authorizing submission of a grant application to the WY Office of Homeland Security, Emergency Management Planning Grant Program, to support Emergency Management operations for FY22 in the amount of \$147,770 with a 50% match. [21 - 127](#)

Attachments: [FY22 EMPG Grant Application, EMA](#)

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

Aye: Malm, Holmes, Heath, Lovett, Thompson

- 17.** Consideration of a resolution authorizing submission of a grant application to the WY Office of Homeland Security, FFY21 State Homeland Security Grant Program, to purchase a gunshot sensor detection system for the Laramie County Governmental Complex in the amount of \$100,000. [21 - 128](#)

Attachments: [FFY21 SHSP Grant Application, Risk Management](#)

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

Aye: Malm, Holmes, Heath, Lovett, Thompson

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18. Consideration of a resolution authorizing submission of a grant application to the WY Office of Homeland Security, FFY21 State Homeland Security Grant Program, for the Coroner's Office to purchase three powered gurneys and a vehicle body deck in the amount of \$125,360. [21 - 129](#)

Attachments: [FFY21 SHSP Grant Application, Coroner](#)

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

Aye: Malm, Holmes, Heath, Lovett, Thompson

19. Consideration of a resolution authorizing submission of a grant application to the WY Office of Homeland Security, FFY21 State Homeland Security Grant Program, for the Coroner's Office to purchase a forensic camera in the amount of \$5,000. [21 - 130](#)

Attachments: [FFY21 SHSP Grant Application, Coroner](#)

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

Aye: Malm, Holmes, Heath, Lovett, Thompson

20. Consideration of a resolution authorizing submission of a grant application to the WY Office of Homeland Security, FFY21 State Homeland Security Grant Program, for the Laramie County CERT team to purchase equipment in the amount of \$10,000. [21 - 131](#)

Attachments: [FFY21 SHSP Grant Application, CERT](#)

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

Aye: Malm, Holmes, Heath, Lovett, Thompson

21. Consideration of a resolution authorizing submission of a grant application to the WY Office of Homeland Security, FFY21 State Homeland Security Grant Program, for Emergency Management to purchase a portable light tower attached to a generator trailer in the amount of \$15,000. [21 - 132](#)

Attachments: [FFY21 SHSP Grant Application, EMA](#)

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

by the following vote:

Aye: Malm, Holmes, Heath, Lovett, Thompson

- 22.** Consideration of a resolution authorizing submission of a grant application to the WY Office of Homeland Security, FFY21 State Homeland Security Grant Program, for the Sheriff's Dept. to purchase an explosive detection canine and associated training costs in the amount of \$17,000. [21 - 138](#)

Attachments: [FFY21 SHSP Grant Application, Sheriff](#)

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

Aye: Malm, Holmes, Heath, Lovett, Thompson

Contract/Agreement/Leases

- 23.** Consideration of a cooperative agreement between Laramie County, WY, and the WY Dept. of Transportation (WYDOT) to participate in the funding and preparation of the Reconnaissance Report for the federally funded WYDOT-administered Bridge Replacement Off-System Program. The approved structure to be studied is Structure No. DLM over the UPRR on County Road 210-2, as shown in exhibit A. [21 - 113](#)

Attachments: [Cooperative Agreement, WYDOT, UPRR Bridge](#)

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

Aye: Malm, Holmes, Heath, Lovett, Thompson

- 24.** Consideration of a memorandum of understanding between Laramie County, WY, and Office of the Attorney General, Division of Criminal Investigation, to provide the Sheriff's Dept. one livescan fingerprint machine for fingerprinting individuals and transmitting fingerprint images to DCI at no cost. The Sheriff's Dept. will pay the vendor annual support and maintenance costs for software upgrades associated with the machine after the first year. [21 - 119](#)

Attachments: [MOU, DCI, Fingerprint Machine](#)

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

Aye: Malm, Holmes, Heath, Lovett, Thompson

25. Consideration of a two-year sponsorship agreement between Laramie County, WY, and HealthWorks to provide eight hand sanitizer stations at the Events Center at the Archer Complex. [21 - 122](#)

Attachments: [Sponsorship Agreement, HealthWorks](#)

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

Aye: Malm, Holmes, Heath, Lovett, Thompson

26. Consideration of an addendum to engagement agreement between Laramie County, WY, and LedBetter Magic to provide magic and mind reading shows at the County Fair, as described in attachment A, in the amount of \$4,200. [21 - 123](#)

Attachments: [Addendum, LedBetter Magic](#)

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

Aye: Malm, Holmes, Heath, Lovett, Thompson

27. Consideration of an addendum to lease agreement between Laramie County, WY, on behalf of the University of Wyoming Extension Office and Capital Business Systems, Inc., to provide the UW Extension office with a copier machine. [21 - 121](#)

Attachments: [Addendum to Lease Agreement, Capital Business Systems, Inc.](#)

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

Aye: Malm, Holmes, Heath, Lovett, Thompson

28. Consideration of an addendum to the agreement between Laramie County, WY, and LINX Multimedia, LLLP, to provide services, maintenance, and technical support for the IT Dept., as described in attachment A. [21 - 110](#)

Attachments: [Addendum to Agreement, LINX Multimedia, LLLP](#)

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

carried by the following vote:

Aye: Malm, Holmes, Heath, Lovett, Thompson

License/Permits

- 29.** PUBLIC HEARING regarding a seasonal fireworks permit submitted by Jim Landis, dba USA Fireworks, located at 102 W. College Dr. [21 - 108](#)

Attachments: [USA Fireworks - 102 W. College Dr.](#)

Matt Butler, County Fire Warden, advised the Board that the required inspections were performed and everything was in order.

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

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

Aye: Malm, Holmes, Heath, Lovett, Thompson

- 30.** PUBLIC HEARING regarding a yearly fireworks permit submitted by Phantom Fireworks Showrooms, LLC, located at 239 I-25 Service Rd. East. [21 - 142](#)

Attachments: [Phantom Fireworks - 239 I-25 Service Rd. East](#)

Matt Butler, County Fire Warden, advised the Board that the required inspections were performed and everything was in order.

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

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

Aye: Malm, Holmes, Heath, Lovett, Thompson

Land Use:Variances/Board App./Plats

- 31.** PUBLIC HEARING regarding an administrative appeal of an approved site plan for Rocky Mountain Landscaping, Inc., located on a portion of the S1/2, SE1/4, Sect. 12, T14N., R.66W., of the 6th P.M., Laramie County, WY. [21 - 136](#)

Attachments: [Administrative Appeal for Approved Site Plan, Planning Information](#)
[Administrative Appeal for Approved Site Plan, Billy J. Goostree](#)
[Administrative Appeal for Approved Site Plan, Kathleen Selock and Wayne Lax](#)

Two separate appeals were filed. Appellants Billy J. Goostree and Kathleen Selock/Wayne Lax agreed to have their appeals heard as one item.

Brad Emmons, Planning, gave an overview of the application for the site plan and Laramie County Land Use Rules and Regulations for the certificate of review.

Mr. Goostree and Ms. Selock stated reasons why the Laramie County Board of County Commissioners should reverse the Planning director's administrative approval of the site plan. The reasons included trash containment, the area would not remain a quiet and safe environment, effect on property values, fire danger, the business doing retail sales, volume of traffic and noise, and the visible porta potty.

Ms. Selock spoke of Rules and Regulations 2-2-133(a) referencing protection of the health, safety, and welfare of the community and use of best practices to support the community vision. She noted 13 residents had officially expressed concerns in a comment letter. Ms. Selock referred to regulation 2-2-133(d)(iv) which allows for a public meeting if it is determined that the proposed use will significantly impact surrounding properties. She added that adjacent landowners were not able to comment on the revised plan and she did not feel the plan addressed residents' concerns.

Chairman Malm opened the hearing for PUBLIC COMMENT. Robert Brinkmann and James Ward, residents, echoed appellants' concerns. Hearing no further PUBLIC COMMENT, Chairman Malm closed the hearing.

Mr. Emmons noted if violations of the site plan are found after inspections, the landowner would be cited with noncompliance of the approved site plan. He explained if the site plan is in compliance, a certificate of compliance would be issued. Mr. Emmons said the property in question is zoned A-2 which allows landscaping businesses.

Planning staff informed commissioners that the owner of Rocky Mountain Landscaping was not present at the board meeting due to illness and had been provided information on how to watch and call in to the meeting.

The Board discussed the possibility of requiring fencing or screening. Mr. Emmons noted the requirement for screening and buffering applies when property is adjacent to a *different* zone. County Attorney Mark Voss explained the action before the board is to affirm or reverse Planning's administrative approval of the site plan; additional

conditions cannot be imposed. Commissioner Lovett questioned retail sales activity on the property. Mr. Voss said if it is determined the business is operating as a retail business, that would be an enforceable violation of the site plan.

Commissioner Thompson addressed the business owner and said it would benefit him to cover the trash and fence the outhouse on the property. Chairman Malm further advised the owner to work with his neighbors and said action would be taken on any site plan violations.

A motion was made by Commissioner Thompson, seconded by Commissioner Lovett, to affirm the Planning Director's approval of the site plan. The motion carried by the following vote:

Aye: Malm, Lovett, Thompson

Nay: Holmes, Heath

Chairman Malm called for a short break at 5:12 p.m. The meeting resumed at 5:18 p.m.

- 32. PUBLIC HEARING** regarding a Subdivision Permit & Plat for Meadowlark Airpark, located at Govt. Lots 1, 2, 3, and 4, less a portion, and all of the NW1/4 SE1/4, less a portion, Sect. 6. T.14N., R.64W., of the 6th P.M., Laramie County, WY.

[21 - 115](#)

Attachments: [Meadowlark Airpark, Subdivision Permit & Plat](#)

Marissa Pomerleau, Planning, said Jones Land Surveying, Inc., on behalf of Phillip and Marium Trefren of 3660 Rd. 215, submitted a Subdivision Permit and Plat application for Meadowlark Airpark located southwest of the intersection of Rd. 137 and Aviator Ct. The application was submitted to subdivide four parcels into 27 residential-use tracts.

Ms. Pomerleau said based on evidence provided, staff recommends approval of the subdivision permit and plat application with the adoption of findings of fact a with two conditions: 1) DEQ approval of the Chapter 23 Study shall be required prior to plat recordation and 2) The portion of Railroad Rd. running from Rd. 136 to Earhart Dr. is required to be paved prior to tract development.

Mr. Trefren, applicant, and Justin Hesser, attorney for the applicant, said the paving requirement would increase the cost per lot and requested Board approval without the second condition.

Chairman Malm opened the hearing for PUBLIC COMMENT. George Halyak, resident, questioned if the applicant intends to have aircraft on Aviator Ct. and build a runway. Resident Lawrence Johnson expressed concern about traffic and maintenance on Aviator Ct. and the need for a written maintenance agreement. Resident Tom Jacobson submitted an e-comment against the condition requiring the

developer to pave the portion of Railroad Rd. Mr. Trefren said he expects aircraft across Aviator Ct. and a runway, east of Earhart Dr., will be indicated on a second plat.

Chairman Malm asked County Attorney Mark Voss about the two 40' private easements and maintenance of Aviator Ct. Mr. Voss stated the Board cannot compel private parties to maintain Aviator Ct. as a condition on the plat. Planning staff confirmed that Mr. Trefren would need to go through the vacation and replatting processes on a second plat. Hearing no further PUBLIC COMMENT, Chairman Malm closed the hearing.

Dave Bumann, Public Works, described the applicant's traffic study which was conducted by a professional engineer. The study concluded that development of the 27 lots would increase vehicular traffic on Railroad Rd. (CR 215) to 350 cars per day. Mr. Bumann explained that under Laramie County Land Use Regulations, that volume of traffic requires a 330' portion of Railroad Rd. to be paved.

The Board gave Mr. Trefren the opportunity to postpone the hearing and make adjustments to the plat. After a discussion between Mr. Trefren, Cotton Jones, agent for the applicant, and Mr. Hesser, the applicant decided to proceed with the current plat.

A motion was made by Commissioner Thompson, seconded by Commissioner Lovett, to approve the Subdivision Permit and Plat for Meadowlark Airpark with two conditions and adopt the findings of fact a of the staff report. The motion carried by the following vote:

Aye: Malm, Holmes, Heath, Lovett, Thompson

The meeting adjourned at 6:12 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.