

Board of County Commissioners

Minutes of the Proceedings - Final

Historic Courthouse
310 W 19th Street
Cheyenne, WY 82001



Tuesday, October 6, 2020

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 Sept. 15, 2020.

[20 - 475](#)

Attachments: [Draft Minutes Sept. 15, 2020](#)

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

Consent Agenda

Approval of the Consent Agenda

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

Aye: Malm, Holmes, Heath, Lovett, Thompson

2. Consideration of an appraisal service contract between Laramie County, WY, and Thomas Y. Pickett & Co., Inc.

[20 - 440](#)

Attachments: [Appraisal Service Contract, T. Y. Pickett & Co., Inc.](#)

This agenda item was approved.

3. Consideration of a legal services agreement between Laramie County, WY, and Melissa Theriault to provide representation to indigent parents in accordance with W.S. 14-3-422(b) and comply with County's obligation pursuant to W.S. 14-3-434(b) at a rate of \$90/hour.

[20 - 439](#)

Attachments: [Legal Services Agreement, Melissa Theriault](#)

This agenda item was approved.

4. Consideration of a subgrantee agreement between Laramie County, WY, and CLIMB WY of Cheyenne, for a Dept. of Family Services TANF/CPI grant in the amount of \$60,000 to run Oct. 1, 2020, through Sept. 30, 2021. [20 - 444](#)

Attachments: [Subgrantee Agreement, TANF/CPI Grant, CLIMB WY](#)

This agenda item was approved.

5. Consideration of a subgrantee agreement between Laramie County, WY, and the Boys and Girls Club of Cheyenne, for a WY Dept. of Family Services TANF/CPI grant in the amount of \$42,000 to run Oct. 1, 2020, through Sept. 30, 2021. [20 - 443](#)

Attachments: [Subgrantee Agreement, TANF/CPI Grant, Boys and Girls Club of Cheyenne](#)

This agenda item was approved.

6. Consideration of a subgrantee agreement between Laramie County, WY, and the Greater WY Big Brothers Big Sisters of Laramie County, for a WY Dept. of Family Services TANF/CPI grant in the amount of \$7,500 to run Oct. 1, 2020, through Sept. 30, 2021. [20 - 451](#)

Attachments: [Subgrantee Agreement, TANF/CPI Grant, Greater WY Big Brothers Big Sisters](#)

This agenda item was approved.

7. Consideration of a subgrantee agreement between Laramie County, WY, and the WY Family Home Ownership Program dba My Front Door, for a WY Dept. of Family Services TANF/CPI grant in the amount of \$10,000 to run Oct. 1, 2020, through Sept. 30, 2021. [20 - 437](#)

Attachments: [Subgrantee Agreement, TANF/CPI Grant, My Front Door](#)

This agenda item was approved.

8. Consideration of the following fees collected by various County entities for Aug. 2020: County Clerk, \$172,111.79; Sheriff, \$103,162.92; Clerk of District Court, \$16,286.00; Shooting Sports, \$21,914.00; Planning & Development, \$96,944.07; Circuit Court, \$54,827.00; DUI Court, \$750.00; Drug Court, \$585.00. [20 - 476](#)

Attachments: [Aug. Fees 2020](#)

This agenda item was approved.

9. Consideration of the following part-time salaries in the amount of \$33,234.84 for Sept. 2020: Planning, \$490.00; Shooting Sports, \$4,746.54; Events Dept., \$1,735.50; Buildings/Maintenance, \$15,332.54; Sheriff Operations, \$1,800.00; Detention, \$8,096.12; District Court, \$180.00; Drug/DUI Court, \$854.14. [20 - 477](#)

Attachments: [Sept. Part-time Salaries 2020](#)

This agenda item was approved.

10. Consideration of warrants in the amount of \$1,166,598.10 for Sept. 2020. [20 - 478](#)

Attachments: [Sept. Warrants 2020](#)

This agenda item was approved.

Report & Public Petitions

11. Consideration of an amendment to the PlanCheyenne Future Land Use Map for a .92-acre lot generally located east of Interstate 25 and north of Central Ave. adjacent to Hynds Blvd. from P - Public/Quasi-Public to CB - Community Business. (Amendment before the Board of County Commissioners for comment) [20 - 466](#)

Attachments: [Amendment Memo, PlanCheyenne Future Land Use Map](#)

Mark Christensen, Cheyenne City Planning, said the purpose of this agenda item was to obtain comments from Laramie County. The Board did not have any comments and thanked Mr. Christensen for the information.

This Report & Public Petitions was received and filed.

Resolutions

12. Consideration of a resolution adopting the Whitney Rd. Corridor Plan. [20 - 463](#)

Attachments: [Resolution Adopting the Whitney Rd. Corridor Plan](#)
[Whitney Rd. Corridor Plan without Appendices](#)
[Whitney Rd. Corridor Plan and Appendices](#)
[Whitney Rd. Corridor Plan Presentation](#)

Director Tom Mason of Cheyenne MPO explained the request and gave a presentation for approval of the Whitney Rd. Corridor Plan.

Chairman Malm opened the meeting for PUBLIC COMMENT, Chris Brennan, attorney for Restway Travel Park, spoke of his client's concerns and noted that a portion of the client's property would be used and removal of a lighted sign would be required. Mr. Brennan expressed his gratitude to Mr. Mason and Tom Cobb for their communication while working on the plan. Hearing no further PUBLIC COMMENT,

Chairman Malm closed public comment.

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

13. Consideration of a resolution adopting the Laramie County COVID Procedures. [20 - 457](#)

Attachments: [Personnel Policy Resolution](#)
[COVID Procedures](#)

Heather Rudy, Director of Human Resources, gave an overview of the policy and a request to formally adopt the procedures which have been in effect for several months.

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

Grants

14. Consideration of a grant award agreement between Laramie County, WY, and the U.S. Dept. of Justice for a SMART FY20 Support of Adam Walsh Act Implementation Grant Program in the amount of \$21,957 to run through Sept. 30, 2023. Funds will be used by the Sheriff's Dept. Sex Offender Program for national trainings and the purchase of standard office supplies. [20 - 446](#)

Attachments: [Grant Award Agreement, DOJ Sex Offender Grant Award](#)

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

15. Consideration of the ratification of a resolution authorizing the submission of a grant application to the WY State Forestry Div. for a Wildland Urban Interface Grant in the amount of \$7,000 to fund a Laramie County Firewise Educational Program. [20 - 458](#)

Attachments: [Grant Application, WY State Forestry Div., Firewise Educational Program](#)

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

Contract/Agreement/Leases

16. Consideration of the ratification of an agreement between Laramie County, WY, and Double D Livestock, LLC, for a hog wrestling entertainment event at the Event Center on Oct. 3, 2020. [20 - 438](#)

Attachments: [Agreement, Double D Livestock, LLC, Hog Wrestling](#)

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

17. Consideration of an annual service protection plan agreement between Laramie County, WY, and VideoTronix, Inc., in the amount of \$40,740 for a term from Oct. 1, 2020, through Sept. 30, 2021. [20 - 441](#)

Attachments: [Annual Service Protection Plan Agreement, VTI](#)

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

18. Consideration of an agreement between Laramie County, WY, and Price Digests, a division of Informa Business Media, Inc., for an API Trial License. [20 - 469](#)

Attachments: [Agreement, Price Digests, API Trial License](#)

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

Appointments

19. Consideration of a resolution appointing Donald F. Heiduck to the Laramie County Adult Community Corrections Board, completing the four-year term left vacant by Judge Mark Moran, expiring Dec. 31, 2021. [20 - 442](#)

Attachments: [Adult Community Corrections Board Appointment, Donald F. Heiduck](#)

A motion was made by Commissioner Heath, seconded by Vice Chairman Holmes, to appoint Donald F. Heiduck. The motion carried by the following vote:

Aye: Malm, Holmes, Heath, Lovett, Thompson

20. Consideration of a resolution appointing a member to the Laramie County Library Board, completing the term left vacant by the resignation of Will Dinneen, expiring June 30, 2023. [20 - 461](#)

Attachments: [Library Board Appointment](#)

A motion was made by Commissioner Thompson, seconded by Vice Chairman Holmes, to appoint Michael Pearlman. The motion carried by the following vote:

Aye: Malm, Holmes, Heath, Lovett, Thompson

21. Consideration of a resolution appointing Chandler Carroll to the Laramie County Board of Building Appeals for a one-year term, expiring Oct. 6, 2021. [20 - 456](#)

Attachments: [Board of Building Appeals Appointment, Chandler Carroll](#)
[Appointment Memorandum](#)

A motion was made by Commissioner Thompson, seconded by Vice Chairman Holmes, to appoint Chandler Carroll. The motion carried by the following vote:

Aye: Malm, Holmes, Heath, Lovett, Thompson

22. Consideration of a resolution appointing Darrel McMullen to the Laramie County Board of Building Appeals for a two-year term, expiring Oct. 6, 2022. [20 - 454](#)

Attachments: [Board of Building Appeals Appointment, Darrel McMullen](#)
[Appointment Memorandum](#)

A motion was made by Commissioner Thompson, seconded by Vice Chairman Holmes, to appoint Darrel McMullen. The motion carried by the following vote:

Aye: Malm, Holmes, Heath, Lovett, Thompson

23. Consideration of a resolution appointing Robert D. Clary, P.E., to the Laramie County Board of Building Appeals for a two-year term, expiring Oct. 6, 2022. [20 - 455](#)

Attachments: [Board of Building Appeals Appointment, Robert D. Clary, P.E. Appointment Memorandum](#)

A motion was made by Commissioner Thompson, seconded by Vice Chairman Holmes, to appoint Robert D. Clary, P.E.. The motion carried by the following vote:

Aye: Malm, Holmes, Heath, Lovett, Thompson

24. Consideration of a resolution appointing Brian Casey to the Laramie County Board of Building Appeals for a three-year term, expiring Oct. 6, 2023. [20 - 452](#)

Attachments: [Board of Building Appeals Appointment, Brian Casey Appointment Memorandum](#)

A motion was made by Commissioner Thompson, seconded by Vice Chairman Holmes, to appoint Brian Casey. The motion carried by the following vote:

Aye: Malm, Holmes, Heath, Lovett, Thompson

25. Consideration of a resolution appointing Marty Crowe to the Laramie County Board of Building Appeals for a three-year term, expiring Oct. 6, 2023. [20 - 453](#)

Attachments: [Board of Building Appeals Appointment, Marty Crowe Appointment Memorandum](#)

A motion was made by Commissioner Thompson, seconded by Vice Chairman Holmes, to appoint Marty Crowe. The motion carried by the following vote:

Aye: Malm, Holmes, Heath, Lovett, Thompson

Public Hearings/Rules & Reg's

26. Consideration of a resolution giving public notice of Laramie County's intent to amend the Laramie County Fireworks Regulations. [20 - 448](#)

Attachments: [Resolution, Public Notice to Amend Fireworks Regulations](#)

Tono Pomerleau, Planning, went over the public notice and the emergency amendments to the Laramie County Consumer Fireworks Retail Sales Regulations.

Chairman Malm opened agenda items #26 and #27 for PUBLIC COMMENT, hearing no PUBLIC COMMENT, Commissioner Malm closed public comment.

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

27. Consideration of a resolution adopting emergency amendments to the Laramie County Consumer Fireworks Retail Sales Regulations concerning standards for the installation of sprinkler systems. [20 - 449](#)

Attachments: [Resolution Adopting Emergency Amendments Installation of Sprinkler Systems](#)

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 a resolution giving public notice of Laramie County's intent to adopt the 2020 edition of the National Electric Code with modifications. [20 - 450](#)

Attachments: [Resolution, Public Notice of intent to Adopt 2020 Electric Code](#)

Tono Pomerleau, Planning, went over the public notice. Mr. Pomerleau noted the State has adopted the 2020 edition of the National Electric Code and the county has to do the same within 180 days.

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

Land Use:Variances/Board App./Plats

29. PUBLIC HEARING regarding a Zone Change from A-2 - Agricultural to AR - Agricultural Residential Density, and a Subdivision Permit and Plat for Stadel Subdivision, a portion of the NE1/4 SE1/4, Sec. 17, T.14N., R.65W., of the 6th P.M. Laramie County, WY. [20 - 462](#)

Attachments: [Stadel Subdivision, Zone Change and Subdivision Permit and Plat](#)

Paul Whalen, Planning, said Steil Surveying Services LLC, on behalf of Triple Dot Development LLC, submitted Zone Change and Subdivision Permit & Plat

applications for Stadel Subdivision, a 39.89-acre site located southwest of the Westedt and Glencoe Road intersection. The applications request a zone change from A-2 to AR, and to replat the property into five residential lots. The subdivision proposes a 5.25-acre lot for the existing residence and four residential lots averaging 8.66-acres. Both applications have been combined into one staff report for ease of presentation and discussion, with separate motions required on the two actions.

Mr. Whalen said based on evidence provided for the zone change request, staff recommends the Board adopt the findings of fact a and b. Mr. Whalen said based on evidence provided for the subdivision and plat, staff recommends the board adopt the findings of fact a with one condition: All agency comments regarding corrections to the plat exhibit are to be resolved prior to recordation of the final plat.

Chairman Malm opened the hearing for PUBLIC COMMENT. Kent Westedt, resident, and his attorney John Fritz, opposed both application. Mr. Fritz said a road breaks the contiguity of the AR from the eastern side for the zone change application. Mr. Fritz said for the subdivision permit and plat application there are two issues: 1) Extending Glencoe Dr. and Stadel Rd., the increased traffic and increased dog threat to livestock and 2) the potential division of the tracts from five to seven.

Casey Palma, Steil Surveying and agent, said he did speak with Mr. Westedt about his concerns. Mr. Palma said the zone change meets current regulation requirements. Mr. Palma recommended terminating Stadel Rd. prior to Mr. Westedt's boundary and providing a fencing standard. Mr. Palma will follow up with Mr. Westedt.

Hearing no further PUBLIC COMMENT, Chairman Malm closed the public hearing.

Commissioner Thompson asked County Attorney Mark Voss about contiguity. Mr. Voss said roads, rivers, or railroad tracks are not considered a break in contiguity or adjacency for the definition under the annexation statutes.

Commissioner Holmes asked if A-2 would allow five-acre tracts. Mr. Whalen said five-acre tracts are not allowed in A-2 and if the change did not pass then the subdivision permit plat could not be approved as presented.

A motion was made by Commissioner Thompson, seconded by Commissioner Lovett, to approve the Zone Change from A-2 to AR for a Portion of the NE1/4 SE1/4, Sect.17, T.14N., Range 65 West of the 6th P.M. Laramie County, WY with no conditions, 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: Malm, Lovett, Thompson

Nay: Holmes, Heath

A motion was made by Commissioner Thompson, seconded by Commissioner Lovett, to approve the Subdivision Permit and Plat for Stadel Subdivision, with one condition, and adopt the findings of fact a for the subdivision permit & plat, as shown in the staff report.

Commissioner Thompson spoke about a cul-de-sac. Brad Emmons, Planning, recommended having a condition for the road to terminate at the west end of the property.

A motion was made by Commissioner Thompson, seconded by Commissioner Lovett, to amend the motion for the road to be constructed and to terminate a minimum of 250' from the west boundary of the proposed property line. The motion carried by the following vote:

Aye: Malm, Lovett, Thompson

Nay: Holmes, Heath

The Board of County Commissioners spoke of the extension of Glencoe Rd. After discussion, it was determined that Glencoe Rd. could not be extended because of existing structures. Since Cheyenne MPO would like for Glencoe Rd. to be extended, it was determined the extension was not a legal requirement.

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

Aye: Malm, Lovett, Thompson

Nay: Holmes, Heath

- 30. PUBLIC HEARING regarding a Subdivision Permit and Plat for North View Subdivision, 3rd Filing, a portion of the NE1/4, Sec. 24, T.15N., R.67W., of the 6th P.M., Laramie County, WY.

[20 - 464](#)

Attachments: [North View Subdivision, 3rd Filing, Subdivision Permit and Plat](#)

Marissa Pomerleau, Planning, said Steil Surveying Services, LLC, on behalf of Mark E. Hardy of 1766 Rd. 124, submitted a Subdivision Permit and Plat application for North View Subdivision, 3rd Filing, located southwest of the intersection of Rd. 218 and Rd. 124. The application is for the purpose of subdividing the property into three residential-use lots.

Ms. Pomerleau said based on evidence provided, staff recommends the Board adopt the findings of fact a.

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

A motion was made by Vice Chairman Holmes, seconded by Commissioner Lovett, to approve the Subdivision Permit and Plat for North View Subdivision, 3rd Filing, and adopt the findings of facts a of the staff report. The motion carried by the following vote:

Aye: Malm, Holmes, Heath, Lovett, Thompson

- 31.** PUBLIC HEARING regarding a Subdivision Permit and Plat for Ironhorse, 1st Filing, a portion of the S1/2 S1/2 NE1/4, Sec. 12, T.14N., R.67W., of the 6th P.M., Laramie County, WY.

[20 - 465](#)

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

Marissa Pomerleau, Planning, said Steil Surveying Services, on behalf of Ironhorse Capital, LP c/o Matthew Kaufamn, submitted a Subdivision Permit and Plat application for Ironhorse, 1st Filing located at 5618 Yellowstone Rd. The application is to subdivide the property into four tracts.

Ms. Pomerleau said based on evidence provided, staff recommends the Board adopt the findings of fact a and b with one condition: Review comments regarding clarification on the dedicated open space, access easements, and clerical corrections to the plat shall be addressed prior to recordation of the plat.

Chairman Malm opened the hearing for PUBLIC COMMENT. EComment from Seth Lloyd, City of Cheyenne Planning, said there were no items of disagreement on the current proposal. Hearing no further PUBLIC COMMENT, Chairman Malm closed the public hearing.

A motion was made by Commissioner Thompson, seconded by Vice Chairman Holmes, to approve the Subdivision Permit and Plat for Ironhorse, 1st Filing with one condition, and adopt the findings of fact a and b of the staff report. The motion carried by the following vote:

Aye: Malm, Holmes, Heath, Lovett, Thompson

The meeting adjourned at 5:18 p.m.

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, Oct. 6, 2020.

Approved by : Debra K. Lee, County Clerk

Reviewed by : Gunnar Malm, 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.