COUNTY COMMISSIONER MINUTES

FEBRUARY 2, 2010 LARAMIE, WYOMING

1. **Roll Call.**
The Regular Meeting was called to order at 9:30 a.m. by Chairman Sullivan. Roll call showed Chesnut, Gabriel and Sullivan all present.

Public Hearing.
Verizon Wireless Tower Application
Doug Bryant, Planning Director stated that due to a problem with the original publication, this application was originally supposed to come up on last month's Agenda.

Irene Cook, representing Closser Consulting on behalf of Verizon Wireless spoke about this being a 180 foot tower which is part of a Verizon Wireless plan to improve coverage between Laramie and Fort Collins, CO. Currently one tower is located at Tie Siding, Virginal Dale and Ted's Place. There are a couple of things to iron out due to Shell having a wind project proposed in the area with the option to lease a part of the land. Construction depends on the budget approvals from Arizona and California but construction should commence next year.

MOTION by Chesnut, seconded by Gabriel to CLOSE the Public Hearing at 9:38 a.m.

Asay Design, Inc., Land Use Change
No comments were made.

MOTION by Chesnut, seconded by Gabriel to CLOSE the Public Hearing at 9:39 a.m.

Artesian Springs Preliminary Plat SD-04-09
Cliff Asay, applicant stated the only issue as of right now is the water rights. All paperwork has been submitted and abandoned water rights on all lots except the one with the well on it. We anticipate no problems with this. Initially the water flows at 29 gallons a minute. This waster will need to be treated in order to use it. I do not anticipate it to be used as a residential well.

MOTION by Chesnut, seconded by Gabriel to CLOSE the Public Hearing at 9:42 a.m.

2. **Public Comment**
Sarah Gorin, commented to the Board that she had expected to see something on the agenda regarding the allocation of Specific Purpose Tax funds. Chairman Sullivan said a decision has yet to be made and it should be an agenda item for the next meeting.

3. **Consideration of Changes in the Agenda.**
No Changes in the Agenda.

4. **Approval of Consent Agenda.**
MOTION by Gabriel, seconded by Chesnut that each specific action on the Consent Agenda be APPROVED as indicated:

CONSENT AGENDA

4a. Minutes of the January 19, 2010 Regular Meeting of the Board.
Action: that the Board APPROVES the MINUTES of the January 19, 2010 Regular Meeting of the Board.

4b. Minutes and Agenda of Albany County Fair Association.
Action: that the Board ACKNOWLEDGES RECEIPT of the November 11, 2009 MINUTES and the January 13, 2010 AGENDA of the Albany County Fair Association.

4c. Minutes and Agenda of the Wyoming Association of Risk Management Property Insurance Joint Powers Board.
Action: that the Board ACKNOWLEDGES RECEIPT of the January 21, 2010 MINUTES and the November 12, 2009 AGENDA of the Wyoming Association of Risk Management Property Insurance Joint Powers Board.

4d. Minutes of the Laramie Rivers Conservation District.
Action: that the Board ACKNOWLEDGES RECEIPT of the December 18, 2009 MINUTES of the Laramie Rivers Conservation District.

4e. Agenda of the Albany County Public Library Board of Directors.

Action: that the Board ACKNOWLEDGES RECEIPT of the January 26, 2010 AGENDA of the Albany County Public Library Board of Directors.

4f. Albany County Sheriff/Detention Center Monthly Statement.

Action: that the Board ACKNOWLEDGES RECEIPT of the MONTHLY STATEMENT for the month ending December 2009 from Jim Pond, Sheriff.

4g. Statement of Financial Position and Operations of the Albany County Fair Board.

Action: that the Board ACKNOWLEDGES RECEIPT of the December 31, 2009 STATEMENT OF FINANCIAL POSITION and for the one and six months ended December 31, 2009 STATEMENT OF OPERATIONS of the Albany County Fair Board.

4h. Balance Sheet, Income Statement and Budget vs. Actual Report of the Wyoming Association of Risk Management Property Insurance Joint Powers Board.

Action: that the Board ACKNOWLEDGES RECEIPT of the BALANCE SHEET as of December 31, 2009; the INCOME STATEMENT from July through December 2009 and the BUDGET VS. ACTUAL REPORT from July through December 2009 of the Wyoming Association of Risk Management Property Insurance Joint Powers Board.

4i. ACH payments to Blue Cross Blue Shield regarding health insurance claims.

Action: that the Board RATIFIES payments to Blue Cross Blue Shield regarding health insurance claims.

4j. Acknowledge Receipt of Correspondence.

Action: that the Board ACKNOWLEDGES RECEIPT of CORRESPONDENCE from: Department of Energy; State Board of Equalization; Department of Environmental Quality; Wyoming Department of Transportation (2); Haub School & Ruckelshaus Institute; University of Wyoming Art Museum; Albany County Resource Center; NACO; The Wyoming Children's Action Alliance; 2010 Legislative Conference; State of Wyoming Emergency Response Commission; Biodiversity Conservation Alliance; SOURCE; Kurt and Mary Beth Pettipiece; Albany County Public Library (2); George K. Baum & Company; Medicine Bow-Routt National Forests and Thunder Basin National Grassland; County News; Mark Daly; Cobalt Community Research; Clerk of District Court and Sheela Schermetzler, Grants Manager.

REGULAR AGENDA

5. Tower Permit for Closser Consulting on behalf of Verizon Wireless.

MOTION by Gabriel, seconded by Chesnut to APPROVE Tower Permit for Closser Consulting on behalf of Verizon Wireless adopting and incorporating the following Findings of Fact and Conclusions of Law:

Findings necessary for Approval:

1. Site Plan has been approved.
2. Statement indicating co-location of antennae is not feasible with an existing tower in the area. Union Wireless has a 50' tower nearby, but the applicant indicates it is not "structurally or economically feasible to modify the Union Wireless tower for co-location…" Applicant adds a lower elevation would diminish coverage.
3. Statement from the Applicant that the County can install a communication antenna, if feasible to provide governmental services.
4. Statement that Applicant will remove the tower, at its expense, if the tower is abandoned has been provided.
5. Statement addressing possible impacts:
    a. Visual impacts – the tower will be visible from Highway 287. See simulation. The State Historic Preservation Office reviewed the application and have indicated no adverse comments. Their review included any visual impact to the Overland Trail corridor.
    b. Environmental impacts – tower will not be located in environmentally sensitive area (e.g. flood plain, steep slope, wetland). The site is on rocky soil and sparse vegetation.
    c. Co-location – see above comment
    d. Exterior lighting – one down illuminating fixture will be installed. The light will be by the equipment shelter.
    e. Screening and buffering – no screening planned due to location.
    f. General nuisance – no nuisances expected from proposed tower
    g. Air traffic safety – no FAA requirements for lights due to the tower height being less than 200' and distance from the airport and flight paths.

Findings of Fact:

1. The proposed use is compatible with the existing use, agricultural land.
2. The Findings Necessary for Approval, as listed in this report, are incorporated herein as findings of fact.

Conclusions of Law: The provisions of the Albany County Zoning Resolution, Chapter I, Section 13, Chapter IV, Section 5 and Chapter V, Section 7 have been and will be complied with.

Roll call showed Gabriel, Chesnut and Sullivan. Aye. MOTION CARRIED.

6. Land Use Change (zoning change) for Cliff Asay.

MOTION by Chesnut, seconded by Gabriel to APPROVE Land Use Change from agriculture to residential, an approximate 37 acre parcel belonging to Asay Design, Inc., adopting and incorporating the Findings of Fact and Conclusion of Law as listed in the staff report:

Findings necessary for Approval:

1. Not adversely affect the public interest. The proposed Residential zoning is consistent with and compatible with neighborhood agricultural residential properties.
2. Provide adequate site plans and maps. Applicant has provided an adequate site plan for the proposed development.
3. Adequately address the following:
   a. Leap frog/strip development – Zoning is reasonable given the property is adjacent to existing rural residential areas.
   b. Economic – Residential use will increase the economic value of the property.
   c. Air quality – No effect anticipated.
   d. Water quality – No discharges anticipated, either surface or subsurface other than the domestic wastewater systems.
   e. Separation of uses – Residential properties in the area are large lot rural residential.
   f. Screening & buffering – No screening planned and no landscaping for perimeter is required.
   g. General nuisances – No nuisances are anticipated to result from the proposed zone change.
   h. Traffic – The property presently has two permitted accesses off Soldier Springs Road.
   i. Parking – Parking should be adequate with expected large lots, rural residential development.
   j. Exterior lighting – Exterior lighting, if any, will comply with County outdoor lighting regulations.
   k. Refuse area will be addressed at the time of development.
   l. Signs – Any signs will need to be permitted by the County.

Findings of Fact:

1. The property presently is zoned Agriculture.
2. The property's use as Residential will be consistent with area properties. Lot sizes, if developed as a subdivision, will require 5 acre density and two acre minimum lot size if individual wells and wastewater systems.
3. The proposed zoning is consistent with the County's Comprehensive Plan which designates the property within Priority Growth Area 3.
4. The findings necessary for Approval, as listed in this report, are incorporated herein as findings of fact.

Conclusions of Law: The requirements of the Albany County Zoning Resolution, Chapter V, Section 5 (change in Land Use Classification) have been complied with.

Roll call showed Chesnut, Gabriel and Sullivan. Aye. MOTION CARRIED.

7. Proposed Preliminary Plat for Artesian Springs (Asay).

MOTION by Chesnut, seconded by Gabriel to APPROVE Preliminary Plat for Artesian Springs, adopting and incorporating the Findings of Fact and Conclusions of Law as listed in the staff report:

Findings of Fact:

Preliminary Plat

1. The information required to be on the face of the preliminary plat, per Chapter V, Section 2 has been completed.
2. Drainage and other preliminary plat issues have been reviewed by the County Engineer.
3. Water will be provided by individual wells.
4. Wastewater systems will be individual systems.
5. Residential lots will meet the 5 acre minimum density requirement.
6. Utilities will be underground.
7. The property zoned Residential and lies within a designated Priority Growth Area 3 (rural residential development) of the Comprehensive Plan.

Conclusions of Law: The provisions of the Albany County Platting and Subdivision Resolution, Chapters I-VIII and Appendix A have been and will be complied with.

1. Notice to nearby property owners was mailed, notice was published, and signage was posted as required.

Roll call showed Chesnut, Gabriel and Sullivan. Aye. MOTION CARRIED.

8. Mobile Home Park License Renewals for 2009-2010.

MOTION by Chesnut, seconded by Gabriel to APPROVE Mobile Home Park License Renewals for 2009-2010 for Ortega Mobile Home Park and Troutman Mobile Home Park.

Roll call showed Chesnut, Gabriel and Sullivan. Aye. MOTION CARRIED.

9. A 0% interest Lease Agreement in the amount of $100,000 between Wyoming Association of Municipalities and Albany County to provide financing to the County for the energy efficient retrofits in the Courthouse building under the WAM-WCCA Energy Lease Program.

MOTION by Gabriel, seconded by Chesnut to APPROVE a 0% interest Lease Agreement in the amount of $100,000 between Wyoming Association of Municipalities and Albany County to provide financing to the County for the energy efficient retrofits in the Courthouse building under the WAM-WCCA Energy Lease Program.

Roll call showed Gabriel, Chesnut and Sullivan. Aye. MOTION CARRIED.

10. Revival Agreement to Grant Agreement between the Wyoming Business Council and Albany County for the purpose of extending the term of the original Community Development Block Planning Grant for the feasibility of rehabilitating the Lincoln Community Center.

MOTION by Chesnut, seconded by Gabriel to RATIFY Revival Agreement to Grant Agreement between the Wyoming Business Council and Albany County for the purpose of extending the term of the original Community Development Block Planning Grant for the feasibility of rehabilitating the Lincoln Community Center.

Roll call showed Chesnut, Gabriel and Sullivan. Aye. MOTION CARRIED.

11. SLIB County Wide Consensus Block Grant Application for Reallocation of Funds. $675,000 will be reallocated to the Tunnel Road Bridge over Laramie project, $112,094 will be reallocated to the Town of Rock River and $279,923 will be reallocated to the WWTP Lift Station Improvements.

MOTION by Gabriel, seconded by Sullivan to APPROVE SLIB County Wide Consensus Block Grant Application for Reallocation of Funds. $675,000 will be reallocated to the Tunnel Road Bridge over Laramie project, $112,094 will be reallocated to the Town of Rock River and $279,923 will be reallocated to the WWTP Lift Station Improvements.

Roll call showed Gabriel and Sullivan. Aye. Chesnut opposed. MOTION CARRIED.

12. Request for Proposals for Albany County Public Health Remodeling Phase II and direct the Clerk to Advertise.

MOTION by Chesnut, seconded by Gabriel to APPROVE Request for Proposals for Albany County Public Health Remodeling Phase II and DIRECT the Clerk to Advertise.

Roll call showed Chesnut, Gabriel and Sullivan. Aye. MOTION CARRIED.

13. $20,000 Bond for Marla K. Conry, Treasurer, Town of Rock River.

MOTION by Chesnut, seconded by Gabriel to APPROVE $20,000 Bond for Marla K. Conry, Treasurer, Town of Rock River.

Roll call showed Chesnut, Gabriel and Sullivan. Aye. MOTION CARRIED.

14. Make appointments to the Albany County Planning and Zoning Commission.

MOTION by Gabriel, seconded by Chesnut to APPOINT Sarah Gorin, City Representative and James Rinehart, County Representative to the Albany County Planning and Zoning Commission for a three-year term to expire January 2013.

Roll call showed Gabriel, Chesnut and Sullivan. Aye. MOTION CARRIED.

15. Make appointment to the Environmental Advisory Committee

MOTION by Chesnut, seconded by Gabriel to APPOINT Steve Aagard to the Environmental Advisory Committee to fill an unexpired term to expire November 2010.

Roll call showed Chesnut, Gabriel and Sullivan. Aye. MOTION CARRIED.

16. Make appointments to the Albany County Court Security Management Committee.

MOTION by Gabriel, seconded by Chesnut to APPOINT Richard Bohling and Devin O'Connell to the Albany County Court Security Management Committee.

Roll call showed Gabriel, Chesnut and Sullivan. Aye. MOTION CARRIED.

17. Approve Vouchers for January 2010.

MOTION by Chesnut, seconded by Gabriel to APPOROVE Vouchers for January 2010 and directs the County Clerk to assign a voucher number to the following vouchers, signature stamp each voucher and to cause warrants to be issued in payment of each such account to wit: **GENERAL AND SPECIAL REVENUE EXPENDITURES:** CLARK ENTERPRISES, $2580.00, FINAL PAYMENT FIRE PACKAGE; DELTA CONSTRUCTION, $7535.82, FINAL PAYMENT EVIDENCE BUILDING; BIG BROTHERS BIG SISTERS, $3230.00, JUVENILE DIVERSION CONTRACT; CLIMB WYOMING, $3820.56, TANF CPI PAYMENT; FIRST DATA MERCHANT SERVICES, $386.64, MONTHLY FEES; IVINSON MEMORIAL HOSPITAL, $50.00, PATIENT SERVICES; LAMAR COMPANIES, $1150.00, MEDIA BULLETINS; LANE LINDLEY, $1089.54, FUELS COORDINATOR; BETH WILKINSON, $1625.00, LAND OWNER COST SHARE; WIRELESS ADVANCED, $25511.74, VEHICLE REPLACEMENT; **COMMISSIONERS:** A THRU Z, $30.80, DOCUMENT DESTRUCTION; ALBANY COUNTY CLERK, $5.97, SUPPLIES; **GENERAL ACCOUNTS:** ALBANY COUNTY CLERK, $18.30, POSTAGE; BRESNAN, $55.28, UTILITIES; CITY OF LARAMIE, $1443.20, UTILITIES; GE CAPITAL, $5091.00, COPIER LEASE; PAYFLEX, $880.00, ADMIN/RENEWAL FEES; QUILL, $25.58, GENERAL ACCOUNTING SUPPLIES; ROCKY MOUNTAIN POWER, $7547.53, UTILITIES; TOWN OF ROCK RIVER, $74.00, UTILITIES; **COURTHOUSE:** ALSCO, $100.74, CLEANING SUPPLIES; JOHNSON CONTROLS, $452.50, BUILDING MAINTENANCE; KONE, $999.96, BUILDING MAINTENANCE; NAPA AUTO PARTS, $27.74, AUTO EXPENSE; VAN'S WHOLESALE, $48.15, SUPPLIES; WALMART, $61.33, AUTO EXPENSE; **CLERK:** A THRU Z, $86.03, DOCUMENT DESTRUCTION; ALBANY COUNTY CLERK, $25.98, OFFICE SUPPLIES; **ELECTIONS:** STATE OF WYOMING A&I, $57.00, STATE ACCESS FEE; **TREASURER:** A THRU Z, $30.80, DOCUMENT DESTRUCTION; STATE OF WYOMING A&I, $57.00, STATE ACCESS FEE; **ASSESSOR:** A THRU Z, $30.80, DOCUMENT DESTRUCTION; GRANT SHOWACRE, $262.48, TRAVEL & MILEAGE; STATE OF WYOMING A&I, $38.00, STATE ACCESS FEE; **SHERIFF:** GREASE

MONKEY, $162.00, AUTO EXPENSE; LARAMIE RIFLE RANGE, $100.00, TRAINING; LEONARD B. MEDOFF, $185.00, CONTRACT SERVICES; PAGE ONE OF WYOMING, $131.30, TELEPHONE; **DETENTION:** ACE HARDWARE, $101.49, MAINTENANCE; COWBOY GLASS, $152.38, MAINTENANCE; JO-ED PRODUCE, $3398.50, BOARDING OF PRISONERS; JOHNSON CONTROLS, $1180.85, MAINTENANCE; MEADOW GOLD DAIRY, $404.37, BOARDING OF PRISONERS; US FOOD SERVICE, $3487.68, BOARDING OF PRISONERS; VAN'S WHOLESALE, $128.00, SUPPLIES; **ATTORNEY:** A THRU Z, $30.80, DOCUMENT DESTRUCTION; LEXIS NEXIS, $1788.00, ONLINE SUBSCRIPTION; OFFICE DEPOT, $103.59, OFFICE SUPPLIES; **INTERGOVERNMENTAL:** PEAK WELLNESS CENTER, $916.74, CONTRACT SERVICES; **PLANNING:** SUSAN ADLER, $475.00, JANITORIAL SERVICES; AMERICAN PLANNING ASSOC, $420.00, DUES; MODERN PRINTING, $15.00, OFFICE SUPPLIES; **CORONER:** PATRICK C. ALLEN MD, $1030.00, AUTOPSY; **COOPERATIVE EXTENSION:** RELIABLE OFFICE SUPPLIES, $405.76, OFFICE SUPPLIES; KACI SMITH, $25.86, MILEAGE; **CLERK OF COURT:** DELUXE BUSINESS FORMS, $285.56, PRINTED FORMS; **DISTRICT COURT:** DAVID MCCARTHY, $1243.15, LEGAL SERVICES; TRENT & WILKERSON LAW OFFICE, $183.33, LEGAL SERVICES; **DRUG COURT:** MATTHEW CASTANO, $1000.00, CONTRACT SERVICES; TERESA JACOBS-CASTANO, $7000.00, CONTRACT SERVICES; RCB AUTO SERVICES, $45.39, AUTO EXPENSE; STEPHEN L. REESE, $100.00, MONITORING FEES; **ROAD & BRIDGE:** ALSCO, $76.32, SAFETY CLOTHING; AUTO ELECTRIC, $181.90, VEHICLE REPAIR; CSK PROSHOP, $42.46, HEAVY EQUIPMENT REPAIR; DRIVE TRAIN, $25.94, SHOP EQUIP/MAINTENANCE; FERGUSON ENTERPRISES, $92.25, SHOP EQUIP/MAINTENANCE; LARAMIE AUTO PARTS, $32.47, SHOP EQUIPMENT REPAIR; LARAMIE FORD, $50.54, VEHICLE REPAIR; MODERN PRINTING, $78.57, OFFICE SUPPLIES; ROYAL SUPPY, $86.96, SHOP EQUIP/MAINTENANCE; STAPLES, $19.99, OFFICE SUPPLIES; TRUE VALUE, $14.98, HEAVY EQUIPMENT REPAIR; VAN'S WHOLESALE, $34.48, BUILDING MAINTENANCE; WYOMING MACHINERY, $12588.38, HEAVY EQUIPMENT REPAIR; **FIRE:** WHEATLAND REA, $26.61, GARRETT ELECTRIC SERVICE; WYOMING STATE FIRE ADVISORY BOARD, $300.00, DUES; **PUBLIC HEALTH:** KATE CHAMBERLIN, $143.34, TRAVEL & MILEAGE; SHEILA ENDEAN, $4.50, MILEAGE; GLAXOSMITHKLINE, $1427.50, VACCINE; AMANDA OLIVER, $1.20, MILEAGE; KELLI PERROTTI, $46.00, MILEAGE; PHYSICIAN SALES & SERVICE, $202.43, MEDICAL SUPPLIES; SANOFI PASTEUR, $916.34, VACCINE; AMANDA SLUSS, $3.50, MILEAGE; WALMART, $59.01, OFFICE SUPPLIES; WESTERN CARPET CLEANING, $885.00, JANITORIAL SERVICE; **WIC:** HEALTH EDUCATION ASSOC, $73.70, CLIENT EDUCATION; DENISE IVEY, $176.49, TRAVEL & MILEAGE; QUILL, $58.44, OFFICE SUPPLIES; US POST OFFICE, $524.00, POSTAGE; **1% SALES TAX:** BRESNAN, $94.95, INTERNET ACCESS; UNIVERSITY OF WYOMING, $78.45, CONTINUING EDUCATION; USDA FOREST SERVICE, $500.00, PARKING LOT MAINTENANCE; **MCH/TANF:** JENNIFER ANDERSON, $28.50, MILEAGE; SHEILA ENDEAN, $5.00, MILEAGE; AMANDA OLIVER, $20.75, MILEAGE; AMANDA SLUSS, $16.00, MILEAGE; LINDA VALENTI, $26.00, MILEAGE; **DETENTION MEDICAL:** DARRYL FAULK, $15866.00, NURSING SERVICES; STAT PHARMACEUTICALS, $573.77, MEDICAL EXPENSE; **FIRST INTERSTATE BANK:** $71.29, OFFICE SUPPLIES; $195.99, POSTAGE; $270.41, HEAVY EQUIPMENT REPAIR; $555.50, TRAVEL & MILEAGE; $1507.37, AUTO EXPENSE; $134.98, POSTAGE; $22.74, OFFICE SUPPLIES; $1543.18, OFFICE SUPPLIES; $458.74, TRAINING; $51.41, OFFICE SUPPLIES; $337.83, TRAVEL & MILEAGE; $45.99, CONTINUING EDUCATION; $75.92, OFFICE SUPPLIES; $2378.58, SUPPLIES/CONTINUING EDUCATION; $136.21, TRAVEL & MILEAGE; $1382.67, CONTINUING EDUCATION; $859.17, SUPPLIES; **TOTAL GENERAL AND SPECIAL REVENUE EXPENDITURES:** $134,339.92 **TOTAL EXPENDITURES: $134,339.92**

18. ADJOURN.

MOTION by Chesnut, seconded by Gabriel to adjourn the February 2, 2010 Regular Meeting of the Board at 10:20 a.m.

BOARD OF COUNTY COMMISSIONERS

/s/ Tim Sullivan, Chairman

ATTEST:

Jackie R. Gonzales, County Clerk