

COUNTY COMMISSIONERS' REGULAR MEETING AGENDA

May 5, 2015

LARAMIE, WYOMING

PUBLIC HEARING: 9:30 a.m.

Mountain West Telephone Telecommunication and Utility Overlay Zone Application
Hearing no comments, MOTION by Richardson to CLOSE the Public Hearing at 9:31 a.m.
Roll call showed Richardson, Chesnut and Sullivan. Aye. MOTION CARRIED.

PLEDGE OF ALLEGIANCE

REGULAR MEETING

1. **Roll Call.**
The Regular Meeting was called to order at 9:30 a.m. by Chairman Sullivan. Commissioner Richardson present and Commissioner Chesnut present via phone.
2. **Comments from the Public.**
David Gertsch, County Planner clarified that the letter that was sent to Paul Harrison regarding the City of Laramie Parks and Recreation Plan reflected the thoughts and opinions of those that asked him to draft the letter.
3. **Consideration of changes in the agenda.** None.
4. **Approval of consent agenda.**
MOTION by Chesnut to APPROVE the Consent Agenda as presented.

CONSENT AGENDA

- 4a. Minutes of the Regular Meeting of the Board.
Action: that the Board APPROVES the MINUTES of the April 21, 2015 Regular Meeting of the Board.
- 4b. Agendas and Minutes of the Albany County Fair Association.
Action: that the Board ACKNOWLEDGES RECEIPT of the March 9, 2015 and April 13, 2015 AGENDAS and February 10, 2015 and March 9, 2015 MINUTES of the Albany County Fair Association.
- 4c. Agendas and Minutes of the Laramie Plains Civic Center Joint Powers Board.
Action: that the Board ACKNOWLEDGES RECEIPT of the September 10, 2014, October 8, 2014, January 14, 2015, February 11, 2015, March 11, 2015, and April 8, 2015 AGENDAS; and August 13, 2014, September 10, 2014, October 7, 2014, November 12, 2014, December 10, 2014, January 14, 2015, February 11, 2015, and March 11, 2015 MINUTES of the Laramie Plains Civic Center Joint Powers Board.
- 4d. Statement of Operations and Statement of Financial Position of the Albany County Fair Association.
Action: that the Board ACKNOWLEDGES RECEIPT of the STATEMENT OF OPERATIONS as of March 9, 2015 and April 13, 2015; STATEMENT OF FINANCIAL POSITION as of March 9, 2015 and April 13, 2015; and, 2014-2015 BUDGET VS ACTUAL as of March 9, 2015 and April 13, 2015 of the Albany County Fair Association.
- 4e. Balance Sheets, Profit and Loss Budget vs. Actual, and Profit and Loss by Class Summaries of the Laramie Plains Civic Center Joint Powers Board.
Action: that the Board ACKNOWLEDGES RECEIPT of the BALANCE SHEET as of July 2014, August 2014, September 2014, December 2014, January 2015, February 2015, and March 2015, PROFIT AND LOSS BUDGET VS. ACTUAL for July 2014, August 2014, September 2014, December 2014, January 2015, February 2015, and March 2015, and PROFIT AND LOSS BY CLASS for July 2014, August 2014, September 2014, December 2014, January 2015, February 2015, March 2015 from the Laramie Plains Civic Center Joint Powers Board.
- 4f. 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.
- 4g. 2010 Specific Purpose Excise Tax Vouchers.
Action: that the Board APPROVES the following 2010 Specific Purpose Excise Tax Vouchers:

| Vendor | Project | Invoice Date | Account Number | Amount |
|----------|---------|--------------|----------------|--------|
| Trihydro | Aquifer | 03/16/2015 | 977-2925-000 | \$6.67 |

4h. Zoning Certificates

Action: that the Board APPROVES the following Zoning Certificates:

| Last Name | First Name | Zoning Permit # | Street # | Address | Value | Description of Use | Zoning |
|-----------|------------|-----------------|----------|----------------------|----------|--------------------|--------|
| Thompson | Garth | ZC-046-15 | 34 | East Street | \$0 | Accessory Building | Res |
| Wilson | Tyler | ZC-047-15 | 2536 | Mountain Shadow Lane | \$18,345 | Accessory Building | Res |
| Weyhrich | Larry J. | ZC-048-15 | 291 | Lake Hattie Road | \$800 | Accessory Building | Res |
| Sutter | Steven E. | ZC-049-15 | 1977 | WY HWY 230 | \$5,000 | Accessory Building | Ag |
| Barker | Michael | ZC-050-15 | 2215 | Rosedale | \$5,400 | Accessory Building | Res |
| Hathaway | Connie | ZC-051-15 | 2789 | Riverside Drive | \$35,000 | Accessory Building | Res |

4i. Acknowledge Receipt of Correspondence.

Action: that the Board ACKNOWLEDGES RECEIPT of CORRESPONDENCE from: Wyoming Technology Transfer Center; Wyoming Water Development Office; U.S. Senator John Barrasso; City of Laramie; Wyoming Department of Environmental Quality; State Board of Equalization – Legacy Reserves; ACORD – Primary Electric, Inc.; Diane M. Lozano – State Public Defender; Sheela Schermetzler; Jackie R. Gonzales; Aaron Voos – Medicine Bow-Routt National Forests; Cathedral Home for Children; Laramie Chamber Business Alliance; Gregory Cowan – WCCA; Department of Audit – Laramie Plains Civic Center; and, WCCA – News@Wyo-WCCA.

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

REGULAR AGENDA

5. Ratify Proclamation declaring April as Month of the Military Child.

MOTION by Richardson to RATIFY the Proclamation declaring April as Month of the Military Child.

Commissioner Richardson read the Proclamation:

In Recognition of
April the Month of the Military Child

- **WHEREAS**, Thousands of brave Americans have demonstrated their courage and commitment to freedom by serving the Armed Forces of the United States of America in active duty posts at home and around the world; and
- **WHEREAS**, Approximately 5,000 of Wyoming's children and youth have been directly affected by the military deployment of at least one parent; and
- **WHEREAS**, These children and youth are a source of pride and honor to us all, and it is only fitting that we take time to recognize their contributions, celebrate their spirit, and let our men and women in uniform know that while they are taking care of us, we are taking care of their children and youth;
- **WHEREAS**, The recognition of April as Month of the Military Child will allow us to pay tribute to military children and youth for their major contributions to the fabric and strength of our troops, families, schools, communities and our nation despite prolonged and repeated absences of one or both parents; and
- **WHEREAS**, during a month-long salute to military children and youth for their character, courage and continued resilience, we encourage local communities to provide direct support to military children and families.
- **NOW, THEREFORE BE IT RESOLVED**, We, the Albany County Commissioners DO HEREBY PROCLAIM the month of April 2015, as

THE MONTH OF THE MILITARY CHILD

and we do hereby urge all citizens, businesses and government leaders to observe the month with appropriate ceremonies and activities that honor, support and thank military children.

- IN WITNESS WHEREOF, we have hereunto set our hands and the official seal of Albany County to be affixed this twenty-fourth day of April Two Thousand Fifteen.

/s/ Tim Sullivan, Albany County Commissioner

/s/ Tim Chesnut, Commissioner

/s/ Heber Richardson, Commissioner

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

- 6. Consider report from the CMAR Selection Committee and Select a CMAR for the proposed Hospice of Laramie House Project.

MOTION by Richardson to SELECT Spiegelberg Lumber & Building Company as the Construction Manager at Risk for the preconstruction phase of the Hospice of Laramie House Project with the caveat that the Wyoming Business Council agrees with the \$500,000.00 donation from BJ2.

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

- 7. Authorize Chairman to sign a Wyoming Water Quality Application Form to the Wyoming Department of Environmental Quality for construction of a new eight inch sanitary sewer line to handle flow from the new RV Campground facility at the Albany County Fairgrounds.

MOTION by Richardson to AUTHORIZE the Chairman to sign a Wyoming Water Quality Application Form to the Wyoming Department of Environmental Quality for construction of a new eight inch sanitary sewer line to handle flow from the new RV Campground facility at the Albany County Fairgrounds.

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

- 8. Authorize Chairman and/or the Road & Bridge Superintendent to sign the required Air Quality Division New Source Review Permit Application Form to the Wyoming Department of Environmental Quality for the establishment of a new gravel pit in Section 25, Township 23 North, Range 75 West in Albany County.

MOTION by Chesnut to AUTHORIZE Chairman and/or the Road & Bridge Superintendent to sign the required Air Quality Division New Source Review Permit Application Form to the Wyoming Department of Environmental Quality for the establishment of a new gravel pit in Section 25, Township 23 North, Range 75 West in Albany County.

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

9. Present the establishment of a Telecommunication and Utility Overlay Zone and Approval of a Tower Permit for Mountain West Telephone.

MOTION by Richardson to APPROVE the establishment of a Telecommunication and Utility Overlay Zone and Tower Permit for Mountain West Telephone based upon the following Findings of Fact and Conclusions of Law as listed in the staff report:

Findings Necessary for Approval:

1. An incomplete site plan was provided.
2. Construction plans and foundation design was provided. However, the information was not stamped by a Wyoming Professional Engineer, as required.
3. There are no towers in the vicinity in which collocation is feasible.
4. If feasible, the applicant will allow the County to co-locate on the tower.
5. A statement was provided by the applicant agreeing to remove the tower, if abandoned.
6. Statement addressing possible impacts:
 - a. Visual impacts – Minimal, but visible from U.S. Highway 30.
 - b. Environmental – Wyoming Game and Fish did not have any concerns.
 - c. Exterior lighting – None contemplated.
 - d. Screening and buffering – Over 400 feet from highway right-of-way.
 - e. General Nuisances – None anticipated.
 - f. Traffic – The property is currently accessible off Soldier Springs Road via an existing approach. The access point to the property may change with a subdivision application.
 - g. Air traffic safety – Site passed FAA slope and tower check.

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

This is also CONTINGENT UPON the following, which must occur within 60 days of approval:

1. The applicant provides documentation that the construction plans and drawings, including the foundation design for the tower, have been reviewed and approved by a Wyoming Professional Engineer.
2. Submittal of a complete site plan with all required information outlined on the application form.

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

10. Business Ready Community Grant and Loan Program Amendment Number One to Grant Agreement between the Wyoming Business Council and Albany County regarding the Pete Lien Project which became effective March 25, 2015. The first purpose of this Amendment is to replace Attachment A with Attachment E to revise language in the first sentence of paragraph two changing the lease term from ten years to twenty years. The second purpose of this Amendment is to replace Attachment B with Attachment F to reflect changes to the cash match in the Projected Grant Expenditure Schedule to include in-kind match, and to remove the contingencies that have been met. The percentage in which Wyoming Business Council will reimburse on invoices will increase from eighty-eight percent (88%) to ninety-two percent (92%).

MOTION by Chesnut to APPROVE Business Ready Community Grant and Loan Program Amendment Number One to Grant Agreement between the Wyoming Business Council and Albany County regarding the Pete Lien Project which became effective March 25, 2015. The first purpose of this Amendment is to replace Attachment A with Attachment E to revise language in the first sentence of paragraph two changing the lease term from ten years to twenty years. The second purpose of this Amendment is to replace Attachment B with Attachment F to reflect changes to the cash match in the Projected Grant Expenditure Schedule to include in-kind match, and to remove the contingencies that have been met. The percentage in which Wyoming Business Council will reimburse on invoices will increase from eighty-eight percent (88%) to ninety-two percent (92%).

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

11. Amendment Number One to Agreement between Albany County and Powers Logging (Harris Park Road – North Additional Acres), dated July 1, 2014 that changes the following: 1) Extension of the term of the Agreement from June 30, 2015 to April 30, 2016.

MOTION by Richardson to APPROVE Amendment Number One to Agreement between Albany County and Powers Logging (Harris Park Road – North Additional Acres), dated July 1, 2014 that changes the following: 1) Extension of the term of the Agreement from June 30, 2015 to April 30, 2016.

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

12. U.S. Department of the Interior Bureau of Land Management Right-of-Way Grant/Temporary Use Permit to construct, operate, maintain, and terminate access road, on public lands (or Federal land for MLA Rights-of-Way) in Sections 2: Lots 2, 5 and 7, Township 15 North, Range 78 West/.

MOTION by Chesnut to APPROVE U.S. Department of the Interior Bureau of Land Management Right-of-Way Grant/Temporary Use Permit to construct, operate, maintain, and terminate access road, on public lands (or Federal land for MLA Rights-of-Way) in Sections 2: Lots 2, 5 and 7, Township 15 North, Range 78 West/.

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

13. Selections for the 2015-2016 County Commissioners Scholarship recipients.

MOTION by Chesnut to AWARD the 2015-2016 County Commissioner's Scholarship to Katherine M. Hasse, John James Morris Murdock and Thomas James Painter. The alternate selected is Nicholas J. Hudson.

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

14. Juvenile Interactive Team Memorandum of Understanding.

MOTION by Richardson to APPROVE the Inter-Agency Agreement between Board of Commissioners of the County of Albany, Wyoming on Behalf of Albany County Attorney's Office of Albany, Wyoming, Albany County Sheriff's Office, and Albany County School District #1 for Exchange of Juvenile Information.

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

15. Amendment to the Albany County Benefit Plan Document.

MOTION by Chesnut to APPROVE the Amendment to the Albany County Benefit Plan Document clarifying when a person is eligible in regards to FMLA coverage and when they employee has to go onto a COBRA type plan. The Amendment also defined who is and is not eligible.

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

16. Vouchers for April 2015.

MOTION by Richardson to APPROVE Vouchers for April 2015 and directs the Clerk to assign a voucher number to the following vouchers and signature stamp each voucher and to case warrants to be issued in payment of each account to wit: **GENERAL AND SPECIAL REVENUE EXPENDITURES:** Albany County Treasurer, \$70.00, grant administration; TANF/CPI March 2015: Big Brothers Big Sisters, \$1,625.71; Climb Wyoming, \$4,465.32; Laramie Youth Crisis, \$1,052.49; First Data, \$50.82, monthly charges; William Heaster, \$500.51, travel & mileage; Inclusion Solutions, \$3,545.00, ADA voting equipment; Intab, \$773.12, ADA voting equipment; Kevin Lam, \$39.24, reimbursement for HMEP training; Laramie Regional Airport, \$100,000.00, Aviation Gateway Terminal; Laramie Tire Factory, \$2,733.25, FP supplies; Lewan & Associates, \$14,180.50, cyber security firewall; Lane Lindley, \$2,617.08, fuels coordinator; Charles Nickerson, \$105.00, travel expense; PCI Products Company, \$2,686.08, swamp booms; Rhino Linings, \$4,062.72, vehicle expense; Victoria Schlager, \$158.70, travel & mileage; Verizon, \$324.19, telephones; Wyoming Public Health Laboratory, \$459.00, youth diversion; **GENERAL ACCOUNTS:** C & S Tractor and Equipment, \$4,150.00, trailer; Charter Communications, \$170.35, utilities; City of Laramie, \$2,988.36, utilities; Pitney Bowes, \$390.12, postage machine supplies; Rocky Mountain Power, \$10,262.47, utilities; Source Gas, \$962.88, utilities; Verizon, \$1,556.43, telephones; WageWorks, \$90.00, monthly charges; Wells Fargo Financial Leasing, \$1,200.00, copier lease; **COURTHOUSE:** Ace Hardware, \$21.15, maintenance supplies; AlSCO, \$118.80, towels; **GRANTS:** Wilken Enterprises, \$300.00, janitorial contract; **ELECTIONS:** Sam's Club, \$12.96, office supplies; Kellie Southards, \$27.99, election stamp; **IT:** Lewan & Associates, \$76.22, wall mount kit; **SHERIFF:** Laramie GM Auto, \$635.92, vehicle maintenance; Modern Printing, \$301.00, office supplies; Wyoming IAAI, \$175.00, officer training; Wyoming Law Enforcement Academy, \$150.00, officer training; Wyoming Peace Officers Association, \$350.00, dues; Wyoming Sheriff's Association, \$587.00, dues; **DETENTION:** Ace Hardware, \$83.94, supplies; Falcon Laboratories, \$1,497.90, supplies; Grainger, \$52.73, maintenance equipment; Jo-Ed Produce, \$2,404.12, boarding of prisoners; Laramie Fire Extinguisher Services, \$145.00, maintenance equipment; Meadow Gold Dairy, \$257.17, boarding of prisoners; US Food Service, \$1,471.84, boarding of prisoners; Van's Wholesale, \$91.20, supplies; Western Waterworks, \$72.00, supplies; **ATTORNEY:** Danielle Bridges, \$30.00, witness fees; Alexis Coca, \$30.00, witness fees; Jacinda Flores, \$30.00, witness fees; Joshua Fry, \$30.00, witness fees; Carol Gonzales, \$30.00, witness fees; Ted Markle, \$30.00, witness fees; Source Office & Technology, \$107.64, notary stamps; **INTERGOVERNMENTAL:** State of

Wyoming, \$74,317.16, public defender reimbursement; Wyoming Guardians Ad Litem Program, \$3,086.97, juvenile court appointed attorney; **PLANNING:** Susan Adler, \$397.47, janitorial contract & travel; David Gertsch, \$108.64, travel & mileage; Sean Pesek, \$380.00, special projects; **CORONER:** Advanced Medical Imaging, \$33.00, x-rays; American Institute of Toxicology, \$540.00, reports; John D Carver MD, \$1,065.00, autopsies; **CLERK OF COURT:** Albany County Treasurer, \$2,228.88, jury service; Plainsman Printing, \$164.99, recorder binder; **DRUG COURT:** Advanced Medical Services, \$350.00, drug testing; BI, \$346.60, participant monitoring; Tina Mansfield, \$33.99, fuel; Neubauer Pelkey & Goldfinger LLC, \$600.00, defense attorney; Peak Wellness Center, \$4,547.97, treatment contract; **ROAD & BRIDGE:** AlSCO, \$99.24, safety clothing; Drive Train, \$39.40, heavy equipment repair; Fat Boys, \$1,403.44, vehicle repair; Laramie Auto Parts, \$902.87, equipment repair; MHC Kenworth, \$18.91, parts; Sam's Club, \$99.76, batteries; True Value, \$3.59, repair; Wyoming Machinery, \$7,760.34, parts/equipment; **FIRE:** Volunteer Fireman's Pension, \$12.50, payroll contribution; Wheatland Rural Electric, \$109.46, utilities; **PUBLIC HEALTH:** AlSCO, \$51.18, mat service; Department of Health, \$31,749.53, 3rd QTR payroll; Hopkins Medical Products, \$904.82, clinic equipment; McKesson Medical Surgical, \$54.76, clinical supplies; Donita Smith, \$42.55, mileage; Western Carpet Cleaning, \$850.00, janitorial contract; Melissa Zaferos, \$52.90, mileage; **1% SALES TAX:** Charter Communications, \$94.95, utilities; HoneyWagon, \$710.52, evidence storage cleanout; Lewan & Associates, \$414.00, HP Hardware support; **MCH/TANF:** Albany County Treasurer, \$60.42, grant administration; **DETENTION MEDICAL:** McKesson Medical Surgical, \$482.86, medical expense; **FIRST INTERSTATE BANK:** \$388.06, program supplies; \$76.46, equipment; \$897.90, travel expense; \$59.42, meal for jury; \$574.53, office supplies & equipment; \$413.73, office supplies; \$1,081.46, computer equipment; \$162.99, officer training; \$1,465.76, uniform expense & training; \$336.00, office supplies; \$4.90, supplies; \$23.00, fuel; \$139.00, uniform expense; \$76.21, extradition; \$47.75, office supplies; \$22.21, office supplies; \$253.30, participant expenses; \$175.61, travel expense; \$94.10, office supplies; \$2,382.49, travel expenses; \$601.68, fire school expenses; \$80.04, extradition; \$445.98, trial expense & supplies; \$1,046.70, travel expenses; \$12.91, fuel; **TOTAL EXPENDITURES: \$315,319.78.**

Roll call showed Richardson and Sullivan. Aye. MOTION CARRIED.

17. Adjourn.

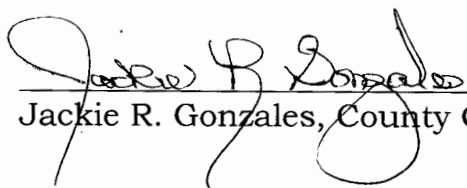
Motion by Chesnut to ADJOURN the May 5, 2015 Regular Meeting of the Board at 11:14 a.m.

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

BOARD OF COUNTY COMMISSIONERS

/s/Tim Sullivan, Chairman

ATTEST:



Jackie R. Gonzales, County Clerk