

COUNTY COMMISSIONERS' MINUTES

NOVEMBER 3, 2015

Laramie, Wyoming

PUBLIC HEARING: 9:30 a.m.

Schutte Land Use Change LUC-06-15

Billy Schutte, applicant, explained that his land use change request is to add a second house to his daughters property.

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 November 3, 2015 Regular Meeting was called to order at 9:30 a.m. by Chairman Sullivan. Commissioners Richardson and Chesnut present.

2. Comments from the public. Cindy Moore, County Librarian gave an update to the Board regarding the technology plan which was approved during the budget. The plan was downgraded to stay in budget. The server was not upgraded at this time. Ms. Moore also informed the Board of some plumbing issues that they had but have taken care of.

3. Consideration of changes on the agenda.

Commissioner Richardson asked to Table agenda item number 15, **DISCUSS** IT Systems Analysis Report prepared by Medicine Bow Technologies and Rodney Weakly, IT Director requested that item number 16, Present for **APPROVAL**, SpyGlass Snapshot Audit Agreement be Tabled. Jackie R. Gonzales, County Clerk asked that the wording on item number 14 should be changed to read, Present for **APPROVAL**, Change Order No. 1 for a price decrease in the amount of **\$54344.75** for the Revised Bid Quantities for the Marshall Road Culvert Replacement at Sheep Creek Project and **AUTHORIZE** Chairman to **EXECUTE** at the request of Bill Gorman, County Engineer.

4. Approval of consent agenda.

MOTION by Richardson 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 October 20, 2015 Regular Meeting of the Board.

4b. Agenda and Minutes of the Albany County Fair Association.

Action: that the Board ACKNOWLEDGES RECEIPT of the August 17, 2015 and September 14, 2015 MINUTES; and, the September 14, 2015 and October 12, 2015 AGENDAS of the Albany County Fair Association.

4c. Minutes of the Rainbow Valley Special Road District.

Action: that the Board ACKNOWLEDGES RECEIPT of the October 3, 2015 MINUTES of the Rainbow Valley Special Road District.

4d. Agenda and Minutes of the Sherman Hill Road Improvement and Service District.

Action: that the Board ACKNOWLEDGES RECEIPT of the August 11, 2015 and September 1, 2015 AGENDAS; and, August 11, 2015 and September 1, 2015 MINUTES of the Sherman Hill Road Improvement and Service District.

4e. \$5,000.00 Bond for Charles Ksir, Treasurer, Rainbow Valley Special Road District.

Action: that the Board APPROVES the \$5,000.00 Bond for Charles Ksir, Treasurer, Rainbow Valley Special Road District.

4f. Statement of Operations and Statement of Financial Position, Statement of Operations and 2014-2015 Budget vs Actual of the Albany County Fair Association.

Action: that the Board ACKNOWLEDGES RECEIPT of the STATEMENT OF OPERATIONS as of September 14, 2015 and October 12, 2015; STATEMENT OF FINANCIAL POSITION as of September 14, 2015 and October 12, 2015; and, 2014-2015 BUDGET VS ACTUAL as of September 14, 2015 and October 12, 2015 of the Albany County Fair Association.

4g. Rainbow Valley Special Road District Treasurer's Report.

Action: that the Board ACKNOWLEDGES RECEIPT of the Rainbow Valley Special Road District October 3, 2015 Treasurer's Report.

4h. 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.

4i. County Road Fund Voucher.

Action: that the Board APPROVES the following County Road Fund Voucher:

Vendor	Service	Invoice Date/No.	Amount	Account Number	Amount
Wheat Enterprises, LLC	Potholes	10/25/2015	\$1,400.00	979-5000-000	\$1,400.00

4j. 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
Lewan & Associates, Inc.	Computers	10/21/2015	977-2920-000	\$16,338.00
Lewan & Associates, Inc.	Zero Client all-in	10/15/2015	977-2920-000	\$4,590.00

4k. Zoning Certificates

Action: that the Board APPROVES the following Zoning Certificates:

Last Name	First Name	Zoning Permit #	Street #	Address	Value	Description of Use	Zoning
Miller	David	ZC-185-15	26	Timber Canyon Road	\$33,000	Accessory Building	AG
Till	Steve & Kathie	ZC-186-15	####	Road to be named	\$0	Principal Structure	RR
Till	Steve & Kathie	ZC-187-15	####	Road to be named	\$0	Accessory Building	RR
Goodspeed	Caleb & Tracy	ZC-188-15	####	Katie Canyon Loop	\$0	Principal Structure	AG
Nord	Matthew & Janet	ZC-189-15	####	Katie Canyon Loop	\$550,000	Principal Structure	AG

41. Acknowledge Receipt of Correspondence.

Action: that the Board ACKNOWLEDGES RECEIPT of CORRESPONDENCE from: Wyoming Department of Revenue; City of Laramie(2); Kirk Hardy; Peggy Gerke; NACO-CountyNews; SAFE Project; Aaron Voos-Medicine Bow-Routt National Forests; Wyoming Rural Electric News; ACORD-Alsco Inc.; State Board of Equalization (3); Wyoming Department of Transportation; GW Mechanical, Inc.; Wyoming Water Development Office; Alsco; and Karl Schueler.

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

REGULAR AGENDA

5. Agreement with Mechanical Systems, Inc., for the Fairgrounds Sewer Upgrade and RV Dumping Station Project and Authorize, Chairman to Execute agreement for \$176,781.00.

MOTION by Chesnut to APPROVE Agreement with Mechanical Systems, Inc., for the Fairgrounds Sewer Upgrade and RV Dumping Station Project and AUTHORIZE, Chairman to EXECUTE agreement for \$176,781.00.

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

6. Request for Quote for Environmental Consulting Services for FEMA – 4227 Road repair projects and AUTHORIZE, the County Engineer to solicit quotes.

MOTION by Richardson to APPROVE Request for Quote for Environmental Consulting Services for FEMA – 4227 Road repair projects and **AUTHORIZE**, the County Engineer to solicit quotes.

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

7. Land Use (zoning) Change Application LUC-06-15 (Schutte).

MOTION by Chesnut to APPROVE Land Use (zoning) Change Application LUC-06-15 (Schutte), incorporating the following Findings of Fact and Conclusions of Law as listed in the staff report.

Findings Necessary for Approval:

1. The proposed change in land use classification will not adversely affect the public interest.
2. The applicant has provided the required site plan.
3. The applicant has addressed the following impacts:
 - a. Leapfrog or Strip Patterns of Development – *Applicant believes all the parcels on Brittany and Mustang Lanes are primarily used for residential.*
 - b. Economic – *Applicant is not going to make money with this change.*
 - c. Air Quality – *No impact at this time.*
 - d. Water Quality – *No new wells or leach fields will be constructed. The County Wastewater Engineer has reviewed this application and has discussed the requirement for a “Gray water” system with the applicant.*
 - e. Separation of Uses – *Applicant does not feel this is applicable.*
 - f. Screening and Buffering – *Applicant does not feel this is applicable.*
 - g. General Nuisances – *The “Tiny House” is 100% solar so virtually dark at night.*
 - h. Traffic – *Just adding one more vehicle to the traffic.*
 - i. Parking – *Applicant had the access professionally constructed.*
 - j. Exterior Lighting – *Tiny solar motion lights. Exterior lighting will adhere to the County regulations.*
 - k. Refuse and Service Areas – *Applicant will haul trash.*
 - l. Signs – *There will be no signs on the properties.*

Findings of Fact:

- The property is currently zoned Agricultural.
- Surrounding properties are agricultural with single family residences.
- This land use change is consistent with the rural residential zoning set out in the Albany County Comprehensive Plan’s Future Land Use Map 3.10.
- 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 and Chapter V, Section 5 have been met.

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

8. Schutte Zoning Certificate Applications ZC-166-15 and ZC-180-15.

MOTION by Richardson to APPROVE Schutte Zoning Certificate Applications ZC-166-15 and ZC-180-15.

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

9. Sub-Recipient Agreements between the Albany County Commissioners and CLIMB Wyoming, Laramie Youth Crisis Center, Interfaith Good Samaritan and Greater Wyoming Big Brothers Big Sisters for TANF/CPA 2015-2016 grant funding for a total amount of \$95,000 from October 1, 2015 to September 30, 2016.

MOTION by Chesnut to APPROVE Sub-Recipient Agreements between the Albany County Commissioners and CLIMB Wyoming - \$32,800., Laramie Youth Crisis Center - \$20,000., Interfaith Good Samaritan - \$19,680.00, and Greater Wyoming Big Brothers Big Sisters - \$21,320. And Albany County for Grant Administration - \$1,200., for TANF/CPI 2015-2016 grant funding for a total amount of \$95,000.00 from October 1, 2015 to September 30, 2016.

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

10. Resolution 2015-11 to Appoint Special Prosecutor in the case of *State of Wyoming v. Travis Fasnacht*.

MOTION by Richardson to APPROVE Resolution 2015-11 to Appoint Special Prosecutor in the case of *State of Wyoming v. Travis Fasnacht*.

Resolution 2015-11

RESOLUTION TO APPOINT SPECIAL PROSECUTOR

Whereas, the Albany County & Prosecuting Attorney's Office has a conflict of interest in prosecuting the Defendant in the case of *State of Wyoming v. Travis Fasnacht* involving a criminal allegation of Hit and Run and No Registration due to Travis Fasnacht is a police officer with the Laramie Police Department.

Whereas, Wyo. Stats. § 18-3-302, §18-2-110, and §18-3-520, enables the County Commissioners of any County to employ one or more attorneys to appear and prosecute and assist the County and Prosecuting Attorney on behalf of the people of such County in any action or proceeding, whether civil or criminal;

Whereas, in such case the nature and necessity of employment shall appear in the records of the County Commissioners according to Wyo. Stat. § 18-3-302 and § 18-3-520;

Whereas, it appears to the Board of County Commissioners that a Special County Attorney is needed to assist the Albany County & Prosecuting Attorney to carry out her duties due to the County & Prosecuting Attorney reporting a conflict of interest and an appearance of impropriety that may result should the Albany County & Prosecuting Attorney's Office handle the above matter;

Whereas, Daniel E. Erramouspe, the Sweetwater County Prosecuting Attorney has agreed to assume the responsibilities and duties of Special Prosecutor in this matter, it being noted that Albany County and Prosecuting Attorney's Office will be responsible for expenses by the Special Prosecutor in carrying out his duties including but not limited to any expenses for travel.

NOW THEREFORE THE BOARD OF COUNTY COMMISSIONERS OF ALBANY COUNTY, WYOMING, RESOLVES:

Section 1. That the foregoing recitals are incorporated in and made a part of this resolution by this reference.

Section 2. That Daniel E. Erramouspe, the Sweetwater County and Prosecuting Attorney be and are hereby appointed and employed as Special County and Prosecuting Attorney in the above referenced criminal case to perform the official duties in this matter that would otherwise be performed by the Albany County & Prosecuting Attorney and her deputies and for that time and for this matter, Daniel E. Erramouspe, the Sweetwater County and Prosecuting Attorney and his deputies shall have the same powers given by law to the Albany County & Prosecuting Attorney as is so provided by Wyo. Stat. § 18-3-105.

PASSED, APPROVED, AND ADOPTED THIS 3rd day of November, 2015.

THE BOARD OF COUNTY COMMISSIONERS OF ALBANY COUNTY, WYOMING

/s/Tim Sullivan, Chairman

ATTEST:

/s/Jackie R. Gonzales, County Clerk

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

11. Discuss and Approve VSP Renewal Policy Changes for 2016.

MOTION by Chesnut to APPROVE VSP Renewal Policy Changes for 2016.

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

12. Approve appointment of Andrea Kern, Interim Director of the Eppson Center to replace Dick Cuthbertson as Eppson Center representative on the Albany County Transportation Authority Board with the appointment expiring in April 2016.

MOTION by Richardson to APPOINT Andrea Kern, Interim Director of the Eppson Center to replace Dick Cuthbertson as Eppson Center representative on the Albany County Transportation Authority Board with the appointment expiring in April 2016.

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

13. Agreement with Stonehouse, Inc. for the Marshall Road Culvert Replacement at Sheep Creek Project in the amount of \$231,119.18 and Authorize Chairman to Execute Agreement.

MOTION by Chesnut to APPROVE Agreement with Stonehouse, Inc. for the Marshall Road Culvert Replacement at Sheep Creek Project in the amount of \$231,119.18 and AUTHORIZE Chairman to EXECUTE Agreement.

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

14. Change Order No. 1 for a price decrease in the amount of \$54344.75 for the Revised Bid Quantities for the Marshall Road Culvert Replacement at Sheep Creek Project and AUTHORIZE Chairman to EXECUTE.

MOTION by Richardson to APPROVE Change Order No. 1 for a price decrease in the amount of \$54344.75 for the Revised Bid Quantities for the Marshall Road Culvert Replacement at Sheep Creek Project and AUTHORIZE Chairman to EXECUTE.

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

15. **DISCUSS** IT Systems Analysis Report prepared by Medicine Bow Technologies.

TABLED

16. Present for **APPROVAL**, SpyGlass Snapshot Audit Agreement.

TABLED

17. Vouchers for October 2015.

MOTION by Chesnut to APPROVE Vouchers for October 2015 and directs the Clerk to assign a voucher number to the following vouchers and signature stamp each voucher and to cause warrants to be issued in payment of each account to wit: **GENERAL AND SPECIAL REVENUE EXPENDITURES:** Albany County Treasurer, \$6,694.90, revenue recapture-BBBS; CenturyLink, \$19.56, telephone; First Data Merchant Services, \$58.22, monthly charge; Gorman Engineering, \$30,923.40, contract services; William Heaster, \$131.10, travel/mileage; Malone Belton Abel, \$4,476.00, BBBS renovation; Tina Mansfield, \$30.00, participant event; Spiegelberg Lumber & Building, \$60,254.10, BBBS project; Transource Services, \$391.99, JP switch-radio equipment; University of Wyoming, \$7,425.00, WACO Icebreaker; Verizon, \$325.75, telephones; Watchguard, \$5,020.00, video system; Wyoming Department of Transportation, \$11,147.69, vehicle sale; Wyoming Public Health Laboratory, \$132.00, STD tests; **COMMISSIONERS:** A Thru Z, \$25.66, document destruction; Grant Showacre, \$15.00, WACO costs; **GENERAL ACCOUNTS:** CenturyLink, \$2,483.83 telephones; Charter Communications, \$172.57, utilities; City of Laramie, \$4,145.70, utilities; Rocky Mountain Power, \$10,038.34, utilities; Source Gas, \$35.87, utilities; Town of Rock River, \$118.00, utilities; Verizon, \$1,825.96, telephones; WageWorks, \$90.00, monthly charges; **COURTHOUSE:** Ace Hardware, \$20.86, building maintenance; AlSCO, \$158.96, mat service; Van's Wholesale, \$212.05, maintenance supplies; Wal-Mart, \$35.63, maintenance supplies; **CLERK:** A Thru Z, \$25.66, document destruction; Josie Montez, \$35.40, office supplies; **GRANTS:** Wilken Enterprises, \$300.00, janitorial contract; **TREASURER:** A Thru Z, \$25.66, document destruction; Albany County Treasurer, \$49.70, travel/mileage; The Master's Touch, \$208.26, tax notices; **FOREST PATROL:** Laramie Tire Factory, \$2,401.74, tires/supplies; **ASSESSOR:** A Thru Z, \$25.67, document destruction; IAAO, \$175.00, dues; Laramie GM, \$37.00, auto expense; Chrissy Mathews, \$36.26, travel/mileage; Kelly Namie, \$43.09, travel/mileage; Tamela Niswender, \$38.04, travel/mileage; Peerless Tires, \$639.76, tires; Brandace Proulx, \$98.25, travel/mileage; **SHERIFF:** A Thru Z, \$25.67, document destruction; Down to Earth, \$29.55, uniform expense; Peri L. Forest, \$100.00, investigation

supplies; Dan Hutchinson, \$83.36, search & rescue; Nicko Kleppinger, \$100.00, investigation supplies; Lincoln Printing, \$488.98, office supplies; **DETENTION:** A Thru Z, \$25.67, document destruction; ArTech, \$213.09, steamer repair; Eagle Plumbing, \$106.13, maintenance; Falcon Laboratories, \$113.60, supplies; Jo-Ed Produce, \$1,344.37, boarding prisoners; Laramie Fire Extinguisher, \$150.00, maintenance; Maximum Carpet, \$631.20, install carpet; Meadow Gold, \$211.14, boarding prisoners; US Food Service, \$1,658.30, boarding prisoners; Van's Wholesale, \$218.53, supplies; Wyoming Department of Agriculture, \$50.00, food license; **ATTORNEY:** A Thru Z, \$361.39, document destruction; Regina D. Chavez, \$117.00, trial expense; Lexis-Nexis, \$182.00, online research; Kelby Scott, \$233.66, travel/mileage; University Physicians, \$4,141.90, trial expense; WACO, \$35.00, registration; West Payment Center, \$342.04, online research; **INTERGOVERNMENTAL:** Peak Wellness, \$2,000.00, emergency detention; **PLANNING:** Susan Adler, \$380.00, janitorial contract; **CORONER:** American Institute of Toxicology, \$1,250.00, toxicology; Horizon Laboratory, \$470.75, toxicology; WACO, \$70.00, registration; **CLERK OF COURT:** A Thru Z, \$25.67, document destruction; Albany County Treasurer, \$3,123.94, jury/witness fees; **DISTRICT COURT:** Joshua Merseal, \$605.00, court appointed attorney; **CIRCUIT COURT:** A Thru Z, \$25.67, document destruction; **DRUG COURT:** Laramie Newspapers, \$108.50, subscription; Neubauer Pelkey & Goldfinger, \$600.00, defense attorney contract; Western Waterworks, \$25.50, supplies; **ROAD & BRIDGE:** A/C Electric, \$89.25, lamp bulbs; AlSCO, \$87.78, safety clothes; Drive Train Industries, \$105.77, parts/heavy equipment repair; Laramie Auto Parts, \$117.37, parts/vehicle repair; True Value, \$5.28, shop equipment maintenance; Wyoming Automotive, \$1.78, parts/heavy equipment; Wyoming Machinery, \$91.25, parts/heavy equipment repair; **FIRE:** Allen's Parts, \$177.20, Laramie Peak VFD supplies; CenturyLink, \$110.40, LPFZ telephone; Frenchman Valley Coop, \$26.05, Sybille VFD supplies; Wheatland Rural Electric, \$98.20, utilities; Wyoming State Forestry, \$163.67, Laramie Peak VFD supplies; **PUBLIC HEALTH:** Ace Hardware, \$25.98, building maintenance; AlSCO, \$102.36, mat service; Control Solutions, \$101.00, vaccines; Darcey Cowardin, \$46.00, travel/mileage; Department of Health, \$36,254.77, county share contract; McKesson Medical, \$165.59, clinical supplies; Merck Sharp & Dohme, \$2,717.86, vaccines; Regional West Medical Center, \$75.10, specimen collection; Sanofi Pasteur, \$9,413.88, vaccines; Wal-Mart, \$23.99, office supplies; Western Carpet Cleaning, \$850.00, janitorial contract; Wyoming Public Health Laboratory, \$95.00, specimen collection; Melissa Zaferos, \$66.13, travel/mileage; **WIC:** CenturyLink, \$58.67, telephone; Hemocue America/Radiometer, \$697.00, clinical supplies; **1% SALES TAX:** Charter Communications, \$94.95, internet access; Lewan & Associates, \$15,079.00, licensing/support; **DETENTION MEDICAL:** Avia Partners, \$180.33, prescriptions; McKesson Medical, \$20.14, medical supplies; **FIRST INTERSTATE BANK:** \$98.45, office supplies; \$85.32, office supplies; \$1,917.02, travel/mileage/office supplies; \$158.57, office supplies; \$1,989.32, travel/mileage/computer/office supplies; \$31.49, office supplies; \$33.10, office supplies; \$311.30, office supplies/postage; \$3,315.71, supplies/replacement equipment; \$72.10, fuel/meals; \$55.10, officer training; \$11.99, medical expenses; \$432.92, replacement equipment; \$138.93, canine supplies; \$13.18, office supplies; \$143.00, office supplies; \$97.27, office supplies; \$231.82, auto expense; \$1,053.43, maintenance supplies; \$56.86, travel/mileage; \$452.65, office supplies; \$72.09, travel; \$147.43, travel/mileage/fire equipment; \$14.87, fuel; \$3,576.21, office supplies/training; \$324.69, travel/mileage; \$11.32, supplies/postage; \$66.70, officer training; \$153.59, office supplies; **TOTAL GENERAL AND SPECIAL REVENUE EXPENDITURES:** \$252,403.42
TOTAL EXPENDITURES: \$252,403.42.

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

18. Adjourn.

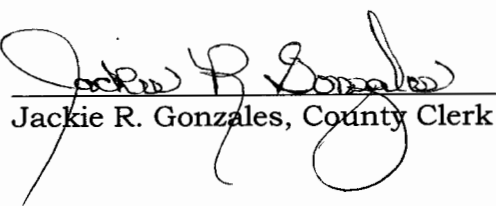
MOTION by Chesnut to ADJOURN the November 3, 2015 Regular Meeting 10:14 a.m.

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

BOARD OF COUNTY COMMISSIONERS

/s/Tim Sullivan, Chairman

ATTEST:



Jackie R. Gonzales, County Clerk