

PUBLIC HEARING: 9:30 a.m.

Proposed extension of Resolution 2020-013, Resolution Extending the Ninety (90) Day Freeze or Temporary Moratorium on Development in the Aquifer Protection Overlay Zone Subject to Exemptions Adopted in Resolution 2019-21 for an Additional Ninety (90) Days or Until September 30, 2020.

Hearing no comments, MOTION by Gosar to CLOSE the Public Hearing at 9:38 a.m. Roll call showed Gosar, Richardson and Jones. Aye. MOTION CARRIED.

Proposed FY 2020-2021 Albany County Budget

Jackie Gonzales, County Clerk informed the Board that there are a couple of changes that she would like to add to the proposed budget for their consideration to be paid from 1% Sales Tax: \$16,000 for rent, taxes and utilities for the use of the American Legion building; \$1,200.00 for purchasing a victim/witness app; \$1,800.00 for the panic button renewal contract; \$9,000.00 for the purchase of a trailer and to provide railings to secure the new election equipment; and to add \$3,000 to the Coroner's Budget in the General Fund for employee compensation. Tracy Fletcher, County Treasurer informed the Board that Payment in Lieu of Taxes (PILT) was received in an amount higher than what was original proposed, (\$111,812.00) in the proposed budget. The total amount received is \$1,611,812.00.

MOTION by Richardson to CLOSE the Public Hearing at 9:49 a.m. Roll call showed Richardson, Gosar and Jones. Aye. MOTION CARRIED.

PLEDGE OF ALLEGIANCE

SPECIAL MEETING

1. **Roll Call.**
The June 30, 2020 Special Meeting was called to order at 9:50 a.m. by Chairperson Jones. Commissioners Richardson and Gosar present.
2. **Comments from the public.**
Connor Mullen resident of Laramie asked that an agenda item be placed on the next agenda to discuss policy and oversight of the Albany County Sheriff's Office and invite others to discuss this matter.
Chairperson Jones informed the public that she discussed with the Fire Warden fire restrictions in Albany County but at this time the criteria are not such that restrictions need to be put in place.
3. **Disclosures.** None.
4. **Consideration of changes on the agenda.** None.
5. Resolution 2020-019, A Resolution Extending the Ninety (90) day Freeze or Temporary Moratorium on Development in the Aquifer Protection Overlay Zone Subject to Exemptions Adopted in Resolution 2019-21 for an Additional Ninety (90) days or until September 30, 2020.

MOTION by Gosar to APPROVE Resolution 2020-019, A Resolution Extending the Ninety (90) day Freeze or Temporary Moratorium on Development in the Aquifer Protection Overlay Zone Subject to Exemptions Adopted in Resolution 2019-21 for an Additional Ninety (90) days or until September 30, 2020.

RESOLUTION 2020-019

RESOLUTION EXTENDING THE NINETY (90) DAY FREEZE OR TEMPORARY MORATORIUM ON DEVELOPMENT IN THE AQUIFER PROTECTION OVERLAY ZONE SUBJECT TO

EXEMPTIONS ADOPTED IN RESOLUTION 2019-21 FOR AN ADDITIONAL NINETY (90) DAYS OR UNTIL SEPTEMBER 30, 2020.

WHEREAS, the Board of Commissioners for Albany County (County) on July 5, 2019, adopted Resolution 2019-21, upon the recommendation of the County Planning and Zoning Commission placing a freeze or temporary moratorium on any building permit, subdivision plat or any other development, construction, or land use or zoning application subject to exemptions for a period not to exceed ninety (90) days regarding property situated in whole or in part within the Aquifer Protection Overlay Zone located in the unincorporated area of Albany County except that the freeze will not apply to all pending permits and to all development or construction for projects previously approved by the County Commissioners pursuant to current County Zoning Regulations to allow Albany County, Wyoming the opportunity to revise the zoning regulations for the protection of the Casper Aquifer and for the health and safety of the citizens of the County.

WHEREAS, the County Board of Commissioners upon the recommendation of the County Planning and Zoning Commission approved the extension of Resolution 2019-21 placing a freeze or temporary moratorium on development in the Aquifer Protection Overlay Zone on October 1, 2019 in Resolution 2019-030 extending the freeze or temporary moratorium until January 3, 2020 and on January 2, 2020 in Resolution 2020-001 extending the freeze or temporary moratorium until April 3, 2020 and on March 27, 2020 in Resolution 2020-013 extending the freeze or temporary moratorium until July 2, 2020.

WHEREAS, the County Planning and Zoning Commission and the County Board of Commissioners have received verbal and written public comments regarding the revisions to the zoning regulations pertaining to the Aquifer Protection Overlay Zone and require additional time to discuss the public comments and revisions to the zoning regulations pertaining to the Aquifer Protection Overlay Zone. Additionally, the revisions to the Aquifer Protection Overlay Zone regulations will require the public to have another opportunity to provide written and verbal comments to such revisions in accordance with Wyo. Stat. § 16-3-101 et. seq. Since the comment period for public comments on the revised regulations, requires at least forty-five (45) days, the temporary freeze or moratorium will need to be extended to accommodate the public's comments.

WHEREAS, the ninety (90) days freeze or temporary moratorium on development in the Aquifer Protection Overlay Zone expires on July 2, 2020 and on June 10, 2020, the County Planning and Zoning Commission approved the extension of Resolution 2019-013 declaring a freeze or a temporary moratorium on development in the Aquifer Protection Overlay Zone subject to exemptions for 90 days or until September 30, 2020 to provide additional time to review public comments on proposed revisions to the zoning resolution on the Aquifer Protection Overlay Zone and make revisions as needed and for the public to have another opportunity to comment.

WHEREAS, Wyoming law requires that a public hearing of the County Board of Commissioners be held when requesting an extension of the temporary freeze or moratorium of zoning regulations after a notice of time and place of the hearing being given by one (1) publication in a newspaper of general circulation in Albany County at least fourteen (14) days before the date of the public hearing.

WHEREAS, a public hearing was held on June 30, 2020 at a special meeting of the County Board of Commissioners which was properly noticed by the County Clerk and open to the public and public comment and public comments were received on the extension of the temporary moratorium for 90 days subject to the exemption process.

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

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

Section 2. That the Board of County Commissioners of Albany County hereby extends the temporary freeze or moratorium as outlined in Resolution 2019-021 on any building permit, subdivision plat or any other development, construction, or land use or zoning application subject to exemptions for an additional ninety (90) days or until September 30, 2020 regarding property situated in whole or in part within the Aquifer Protection Overlay Zone located in the unincorporated area of Albany County except that the freeze will not apply to all pending permits and to all development or construction for projects previously approved by the County Commissioners pursuant to current County Zoning Regulations to allow Albany County, Wyoming the opportunity to revise the zoning regulations for the protection of the Casper Aquifer and for the health and safety of the citizens of the County.

Section 3. That the temporary freeze or moratorium is subject to the exemptions as adopted and certified by the County Planning and Zoning Commission and adopted by the Board of County Commissioners of Albany County in Resolution 2019-021 which is marked Exhibit 1 and is attached hereto and incorporated herein.

PASSED, APPROVED, AND ADOPTED THIS 30th day of June 2020.

**THE BOARD OF COUNTY COMMISSIONERS OF
ALBANY COUNTY, WYOMING**

/s/ Terri Jones

Terri Jones, Chairperson

ATTEST:

/s/ Jackie R. Gonzales

Jackie R. Gonzales

Albany County Clerk

EXHIBIT 1

Temporary Moratorium Exemption Process

- I) Exemptions in the Aquifer Protection Overlay Zone (APOZ) that are eligible for approval include the following:
- A) Residential, Agricultural, Commercial, or Industrial Uses that are not listed as prohibited uses in the Aquifer Protection Overlay Zone Prohibited Use Table and that meet Zoning Certificate requirements, where applicable.
 - B) Home businesses/occupations that are not listed as prohibited uses in the Aquifer Protection Overlay Zone Prohibited Uses Table and that meet the standards in the Zoning Resolution.
 - C) Subdivisions that meet County regulations and that are approved by the Board of County Commissioners.
 - D) Outdoor signs.
 - E) Towers, including temporary towers, small wind energy towers, commercial wind energy systems, and tower co-locations.
 - F) Pre-existing non-conforming uses, structures, and lots as well as verification of continuous uses.
 - G) Subdivision Exemptions.
 - H) Properly designed and approved Small Wastewater Systems.
 - I) Variances approved by the Board of County Commissioners.
 - J) Conditional Use applications approved by the Board of County Commissioners.
 - K) Zoning Change applications approved by the Board of County Commissioners.
 - L) Mobile Home Park applications approved by the Board of County Commissioners.

II) Exemption Approval Process.

- A)** All proposed development in the APOZ, during the temporary moratorium, shall require the submittal of a completed exemption form to the Albany County Planning Office for approval before beginning construction, excavation, or other development activities. If a Zoning Certificate, Small Wastewater Permit, or any other land use permit is required, the exemption form may not be required as long as all information required on the exemption form is included.
- B)** A site plan for the proposed development must be included with the exemption form and shall require the following criteria:
- 1) Show the entire lot or parcel with dimensions and orient the drawing to the North Arrow.
 - 2) Indicate adjacent roads and their names.
 - 3) Indicate locations and outside dimensions of all buildings.
 - 4) Setbacks are required for buildings. Please show setbacks from property lines for all proposed structures and provide the distances on the site plan.
 - 5) Setbacks are required from the property lines for both the well and septic system. Setbacks must be 50 feet from all property lines and 100 feet between well and nearest corner of any septic system.
 - 6) Indicate other significant features or improvements of the subject property, such as streams, ponds, irrigation ditches, wells, floodplains, septic systems, corrals, fences, towers, overhead power lines.
 - 7) Indicate any known vulnerable features on the property which may include faults, folds, exposed bedrock, drainages, or shallow depth to groundwater.
- C)** Site Specific Investigation.
- 1) Any new Commercial/Industrial uses must complete a Site-Specific Investigation in accordance with Chapter 3, Section 3, D of the Albany County Zoning Resolution and include findings with the exemption form.
 - 2) Any modification, upgrade, expansion, repair of a pre-existing nonconforming use must complete a Site-Specific Investigation and include findings with the exemption form.
- D)** Inspections. The Planning Office may make inspections on any approved moratorium exemptions to ensure compliance with moratorium requirements.
- E)** Approval of the moratorium exemptions.
- 1) Approval Criteria.
 - (a) A complete moratorium exemption form is submitted.
 - (b) All Zoning Resolution, including Aquifer Protection Overlay Zoning, requirements are met.
 - (c) The use is listed as a moratorium exemption above.
 - (d) If a Site-Specific Investigation is required, the proposed development must conform to any recommendations of the report.
 - 2) The Albany County Planning Office will approve moratorium exemption requests that meet the criteria above except those exemptions where underlying regulations require Planning & Zoning Commission and County Commissioner approval.
- F)** Enforcement. Enforcement shall be done in accordance with Chapter 1, Section 11 of the Albany County Zoning Resolution and W.S. § 18-5-204 through W.S. § 18-5-206.

Roll call showed Gosar, Richardson and Jones. Aye. MOTION CARRIED.

6. Grant Agreement between Wyoming Department of Health, Public Health Division and Albany County for the purpose of funding activities designed to prevent the use, misuse, or abuse of tobacco, alcohol, or controlled substances, and activities designed to prevent suicide from July 1, 2020 through June 30, 2022 in an amount not to exceed \$447,150.00.

MOTION by Gosar to APPROVE Grant Agreement between Wyoming Department of Health, Public Health Division and Albany County for the purpose of funding activities designed to prevent the use, misuse, or abuse of tobacco, alcohol, or controlled substances, and activities designed to prevent suicide from July 1, 2020 through June 30, 2022 in an amount not to exceed \$447,150.00.

Roll call showed Gosar, Richardson and Jones. Aye. MOTION CARRIED.

7. First Amendment to Maintenance and Service Agreement between Board of Commissioners of the County of Albany, Wyoming and LONG Building Technologies to extend the term of the original agreement for one year from July 1, 2020 through June 30, 2021.

MOTION by Richardson to APPROVE First Amendment to Maintenance and Service Agreement between Board of Commissioners of the County of Albany, Wyoming and LONG Building Technologies to extend the term of the original agreement for one year from July 1, 2020 through June 30, 2021.

Roll call showed Richardson, Gosar and Jones. Aye. MOTION CARRIED.

8. Lease Agreement between the Albany County Board of Commissioners and the American Legion Husted-Pendleton, WY Post 14, for the Victim Witness Program of the Albany County and Prosecuting Attorney's Office from July 1, 2020 through June 30, 2021 in an amount not to exceed \$8,400 or \$700.00 monthly.

MOTION by Gosar to APPROVE Lease Agreement between the Albany County Board of Commissioners and the American Legion Husted-Pendleton, WY Post 14, for the Victim Witness Program of the Albany County and Prosecuting Attorney's Office from July 1, 2020 through June 30, 2021 in an amount not to exceed \$8,400 or \$700.00 monthly.

Roll call showed Gosar, Richardson and Jones. Aye. MOTION CARRIED.

9. Lease Agreement between the Albany County Board of Commissioners and the American Legion Husted-Pendleton, WY Post 14, for the Albany County and Prosecuting Attorney's Office from July 1, 2020 through June 30, 2021 in an amount not to exceed \$9,000.00 or \$750.00 monthly.

MOTION by Richardson to APPROVE Lease Agreement between the Albany County Board of Commissioners and the American Legion Husted-Pendleton, WY Post 14, for the Albany County and Prosecuting Attorney's Office from July 1, 2020 through June 30, 2021 in an amount not to exceed \$9,000.00 or \$750.00 monthly.

Roll call showed Richardson, Gosar and Jones. Aye. MOTION CARRIED.

10. Accept the resignation of Debra R. Hinkel from the Albany County Mental Health Board.

Peggy Trent, County and Prosecuting Attorney and Chairperson Jones expressed appreciation to Ms. Hinkel for her work on this Board.

MOTION by Gosar to ACCEPT the resignation of Debra R. Hinkel from the Albany County Mental Health Board.

Roll call showed Gosar, Richardson and Jones. Aye. MOTION CARRIED.

- 11. Acknowledge Receipt of the Wyoming Governmental Claims Act Notice of Claims from the Spence Law Firm, LLC for Claimant Debra Hinkel, as the Wrongful Death Representative for the Estate of Robert M. Ramirez, deceased and as the Administrator of the Estate of Robert M. Ramirez, deceased.

MOTION by Gosar to ACKNOWLEDGE RECEIPT of the Wyoming Governmental Claims Act Notice of Claims from the Spence Law Firm, LLC for Claimant Debra Hinkel, as the Wrongful Death Representative for the Estate of Robert M. Ramirez, deceased and as the Administrator of the Estate of Robert M. Ramirez, deceased.

Roll call showed Gosar, Richardson and Jones. Aye. MOTION CARRIED.

- 12. Adopt Resolution 2020-020, A Resolution Making Appropriations and Authorizing Expenditure of all Funds to Cover Expenditures of Albany County, Wyoming, for the Fiscal Year of July 1, 2020 through June 30, 2021.

MOTION by Gosar to ADOPT Resolution 2020-020, A Resolution Making Appropriations and Authorizing Expenditure of all Funds to Cover Expenditures of Albany County, Wyoming, for the Fiscal Year of July 1, 2020 through June 30, 2021, to include the requests discussed in the Public Hearing.

RESOLUTION 2020-020

A RESOLUTION MAKING APPROPRIATIONS AND AUTHORIZING EXPENDITURE OF FUNDS TO COVER ALBANY COUNTY FOR THE FISCAL YEAR OF JULY 1, 2020 TO JUNE 30, 2021

WHEREAS, there is a need to conduct a public hearing concerning Albany County's Fiscal Year 2020-2021 proposed budget; and

WHEREAS, the public hearing is set by Wyoming Statute §16-4-109 and the budget adoption is set by Wyoming Statute §16-4-111.

NOW THEREFORE THE BOARD OF ALBANY COUNTY COMMISSIONERS RESOLVE that the following is the Proposed Budget for Albany County Fiscal Year 2020-2021:

ESTIMATED GENERAL FUND EXPENDITURES

County Commissioners	297,599.00
General Accounts	2,537,755.00
Building & Grounds	180,853.00
Clerk	772,478.00
Grants Management	134,933.00
Elections	166,619.00
Information Technology	321,622.00
Human Resources	113,864.00
Treasurer	422,437.00
Assessor	503,517.00
Sheriff	1,874,400.00
Detention Center	1,899,452.00
Attorney	847,049.00
Intergovernmental	709,668.00
GIS	107,848.00
Planning	283,001.00
Engineering	15,000.00
Coroner	144,917.00
Extension	71,620.00
Clerk of District Court	481,425.00
District Court	113,051.00

Circuit Court	750.00
Road & Bridge	766,818.00
Fire Warden	85,918.00
Public Health	338,710.00
Detention Center Medical	260,100.00
TOTAL GENERAL FUND	13,451,404.00
<u>ESTIMATED GRANT & OTHER SPECIAL EXPENDITURES</u>	
Grants & Other	14,000,000.00
<u>ESTIMATED SPECIAL FUND REVENUE EXPENDITURES</u>	
Employee Health Benefit	1,988,035.00
County Road Fund	510,000.00
Abandoned Vehicles	15,411.00
Commissary Account	50,000.00
Jail Endowment/Overage	120,000.00
Contingency	0.00
Debit Cards	3,706.61
Vehicle Replacement	253,801.00
Grant Match	410,863.77
Drug Asset Forfeiture	23,444.00
Economic Development	400,000.00
2001 Specific Purpose Tax	232,289.16
2010 Specific Purpose Tax	2,076,786.33
2018 Specific Purpose Tax	2,988,125.76
Fire Reimbursement	1,000,000.00
TOTAL SPECIAL FUND	10,072,462.63
Direct Aid Appropriations	1,909,348.00
1% Optional Sales Tax Appropriations	1,201,009.00
Transfer to Emergency Reserve	200,000.00
Emergency Reserve	623,870.60
Transfer to Contingency	200,000.00
Contingency Reserve	3,918,559.00
Transfer to General Reserve	143,478.00
General Cash Reserve	2,010,000.00
Transfer to Compensation Plan Reserve	200,000.00
County Compensation Plan Reserve	200,000.00
County Buildings Reserve	361,901.00
Fair Board Appropriation	258,668.47
Library Board Appropriation	917,183.37
TOTAL APPROPRIATION REQUIREMENTS	49,677,884.07
Total Estimated Revenue Available	13,159,825.00
Total Estimated Grant & Other Special Revenue	14,000,000.00
Total Estimated Special Fund Revenues	10,072,462.63

Total Cash Available for Budget (including Cash, Reserve & Emergency Reserve)	8,149,387.60
Total Estimated Direct Aid Revenue	1,909,348.00
Total Estimated 1% Optional Sales Tax Revenue	1,201,009.00
Total Estimated Fair Board Revenue	258,668.47
Total Estimated Library Revenue	917,183.37
ESTIMATED TOTAL REVENUES	49,667,884.07

PASSED, APPROVED, AND ADOPTED THIS 30th day of June 2020.

**THE BOARD OF COUNTY COMMISSIONERS OF
ALBANY COUNTY, WYOMING**

/s/ Terri Jones, Chairperson

ATTEST:

/s/ Jackie R. Gonzales, Albany County Clerk

Roll call showed Gosar, Richardson and Jones. Aye. MOTION CARRIED.

13. Executive Session pursuant to W.S. §16-4-405(a)(ii) and W.S. §16-4-405(a)(iii).

14. Go into Executive Session.

MOTION by Richardson to GO INTO Executive Session at 10:13 a.m.

Roll call showed Richardson, Gosar and Jones. Aye. MOTION CARRIED.

15. Return to Regular Session.

MOTION by Gosar to RETURN to Regular Session at 10:54 a.m.

Roll call showed Gosar, Richardson and Jones. Aye. MOTION CARRIED.

16. Action, if needed, regarding Executive Session. None

17. Adjourn.

MOTION by Richardson to ADJOURN the June 30, 2020 Special Meeting at 10:54 a.m.

Roll call showed Richardson, Gosar and Jones. Aye. MOTION CARRIED.

BOARD OF COUNTY COMMISSIONERS

/s/ Terri Jones, Chairperson

ATTEST:


Jackie R. Gonzales, County Clerk