

COUNTY COMMISSIONERS' MINUTES

VIA ZOOM

AUGUST 18, 2020

PLEDGE OF ALLEGIANCE

REGULAR MEETING

1. **Roll Call.**
The August 18, 2020 Regular Meeting was called to order at 9:33 a.m. by Chairperson Jones. Commissioners Richardson and Gosar present.
2. **Comments from the public.**
A comment was made from a taxpayer who has submitted written and verbal comments to the Commissioners regarding safety and health concerns on wind regulations. This individual requested contacted information for the Environmental Advisory Committee in hopes that Planning and Zoning would submit their comments to this Committee for review.
3. **Disclosures.** - None
4. **Consideration of changes on the agenda.** None
5. Approval of Consent Agenda.

MOTION by Richardson to APPROVE the Consent Agenda as presented.

CONSENT AGENDA

- 5a. Minutes of the Regular & Special Meetings of the Board.
Action: that the Board APPROVES the MINUTES of the August 3, 2020 Special Meeting and the August 4, 2020 Regular Meeting of the Board.
- 5b. Agenda of the Albany County Fire District #1.
Action: that the Board ACKNOWLEDGES RECEIPT of the July 15, 2020 AGENDA of the Albany County Fire District #1.
- 5c. Minutes of the Pope Springs Community Special Road Improvement District.
Action: that the Board ACKNOWLEDGES RECEIPT of the July 13, 2020 MINUTES of the Pope Springs Road District.
- 5d. Minutes and Agenda of the Albany County Planning and Zoning Commission.
Action: that the Board ACKNOWLEDGES RECEIPT of the July 8, 2020 SPECIAL MEETINGS MINUTES, the July 8, 2020 MINUTES and the August 12, 2020 AGENDA of the Albany County Planning and Zoning Commission.
- 5e. Agenda and Minutes of the Sherman Hill Road Improvement and Service District.
Action: that the Board ACKNOWLEDGES RECEIPT of the July 7, 2020 AGENDA and the July 7, 2020 MINUTES of the Sherman Hill Road Improvement and Service District.
- 5f. Minutes of the Seven Mile Water & Sewer District.
Action: that the Board ACKNOWLEDGES RECEIPT of the June 9, 2020 and July 14, 2020 MINUTES of the Seven Mile Water & Sewer District.
- 5g. Reconciliation Summary and Detail Report of the Wold Improvement & Service District.
Action: that the Board ACKNOWLEDGES RECEIPT of the RECONCILIATION SUMMARY and DETAIL REPORT for the period ending 07/31/2020 of the Wold Improvement and Service District.
- 5h. Albany County Planning Office Monthly Statement.
Action: that the Board ACKNOWLEDGES RECEIPT of the July 2020 MONTHLY STATEMENT from David Gertsch, Planning Director.
- 5i. Albany County Clerk of District Court Monthly Statement.
Action: that the Board ACKNOWLEDGES RECEIPT of the July 2020 MONTHLY STATEMENT from Stacy Lam, Clerk of District Court.
- 5j. Albany County Clerk Monthly Statement.
Action: that the Board ACKNOWLEDGES RECEIPT of the July 2020 MONTHLY STATEMENT from Jackie R. Gonzales, County Clerk.
- 5k. FY 2020-2021 Final Budget of the Albany County Tourism Board.
Action: that the Board ACKNOWLEDGES RECEIPT of the FY 2020-2021 FINAL BUDGET of the Albany County Tourism Board.
- 5l. FY 2020-2021 Final Budget of the 7 Mile Water District.
Action: that the Board ACKNOWLEDGES RECEIPT of the FY 2020-2021 FINAL BUDGET of the 7 Mile Water District.

- 5m. ACH payment to the Internal Revenue Service regarding federal tax payment.
Action: that the Board RATIFIES payment to the Internal Revenue Service regarding federal tax payment for August 2020.
- 5n. ACH payments to Blue Cross Blue Shield regarding health insurance claims and Administrative Fees.
Action: that the Board RATIFIES payments to Blue Cross Blue Shield regarding health insurance claims and Administrative Fees.
- 5o. ACH payment to Medliminal for the Consumer Monthly Subscription Fee.
Action: that the Board RATIFIES payments to Medliminal for the Consumer Monthly Subscription Fee for August 2019.
- 5p. Zoning Certificates
Action: that the Board APPROVES the following Zoning Certificates:

Geo Pin	Last Name	First Name	Zoning Permit #	Street #	Address	Description of Use	Zoning
05-1378-21-4-01-060.00	Zimmerman	Timothy & Lindsey	ZC-076-20	27	Wicklund Lane	Principal Structure	RR
05-2271-07-1-00-004.00	Herring	Wilfred	ZC-077-20	902	Arena Road	Accessory Building	COM
05-1278-05-1-00-017.00	Pontarolo	Kip	ZC-078-20	59	Valley Road	Principal Structure	RR
05-1678-34-2-09-013.00	Duncan	Thomas S.	ZC-079-20	21	Middle Mountain Road	Principal Structure	RR
05-1674-28-2-01-007.00	Small	Dwight H.	ZC-080-20	26	BWJ Road	Addition to Principal Structure	AG
05-1573-12-3-16-011.00	Aukerman	Ryan	ZC-081-20	3620	Sage Drive	Accessory Building	RR
05-1573-16-3-02-001.00	Home on the Range Sanctuary	C/O Mr. Ron Olson	ZC-082-20		Cavalryman Ranch Road	Accessory Building - 1 st Structure	AG
05-1371-17-1-00-001.00	Whittington	R. Garth	ZC-083-20	30	Sunlight Road	Accessory Building	RR
05-2271-07-1-00-004.00	Spiewak	Ted & Carol	ZC-084-20	454	Buck Road	Addition to Principal Structure	COM
05-1573-22-2-08-012.00	Aguirre	Anthony	ZC-085-20	1647	Cavalry Row	Principal Structure	RR
05-1774-25-3-01-008.00	Beckett	Paul & Carla	ZC-086-20	23	Mill Iron Road	Accessory Building	AG
05-2271-21-3-00-023.00	Hall	Michael	ZC-087-20	462	Buck Road	Addition to Principal Structure	COM
05-2271-21-3-00-023.00	Allbright	Harold & Kimberly McAuley	ZC-088-20	472	Elk Road	Accessory Building	COM
05-1672-30-4-00-006.00	Fertig	Ray & Jessica	ZC-089-20	188	Jack Rabbit Canyon Drive	Accessory Building	RR
05-1672-30-4-00-006.00	Fertig	Ray & Jessica	ZC-090-20	188	Jack Rabbit Canyon Drive	Accessory Building	RR
05-1573-10-4-01-021.00	Hodges	Robert	ZC-091-20	73	Evets Lane	Accessory Building	RR
05-2776-08-3-00-003.00	Oneyear	Shannon & Billy	ZC-092-20	449	Holiday Road	Accessory Building	AG
05-1574-20-3-01-001.00	Phillips	Casie	ZC-093-20	114	Osprey Road	Mobile Home	RR
05-1579-33-3-02-004.00	Russell	Newton & Wendy	ZC-094-20	92	Rambler Road	Principal Structure	RR
05-2671-15-2-00-014.00	Sherard	Steve & Mona	ZC-095-20	7	Elk Park Road	Accessory Building	RR
05-1278-14-4-00-003.00	Allison	Richard	ZC-096-20	831	Boswell Road	Principal Structure	AG
05-1278-14-4-00-003.00	Allison	Richard	ZC-097-20	833	Boswell Road	Principal Structure	AG

05-1573-10-4-01-007.00	Bauman	Greg & Tasha	ZC-098-20	3749	Evets Lane	Principal Structure	RR
05-2274-34-1-04-001.00	Wilson	Mark & Katie	ZC-099-20		NO ADDRESS	Accessory Building	AG
05-1378-18-4-00-010.00	Cathcart	Michael & Kellie	ZC-100-20			Principal Structure	RR
05-1378-18-4-00-010.00	Cathcart	Michael & Kellie	ZC-101-20			Accessory Building	RR
05-1576-22-2-99-168.00	K&A Mercil Construction and Design, Inc.	C/O Mr. Kyle Mercil	ZC-102-20		Lakeside Drive	Principal Structure	AG
05-2171-27-2-01-013.00	Huerter	Stephen S.	ZC-103-20		Clemons Ranch Road	Principal Structure	AG

5q. Acknowledge Receipt of Correspondence.

Action: that the Board ACKNOWLEDGES RECEIPT of CORRESPONDENCE from: City of Laramie; Shawn Sommerfeld; Shelley J. Leonard; CountyNews (2); Dave O'Malley (10); U.S. Department of the Interior; Wyoming County Commissioners Association (4); Wendy O'Leary; Karen Schertz; Laramie Chamber Business Alliance (3); Office of Governor Mark Gordon (10); Andrea & Nicholas McGlocklin; Medicine Bow Routt National Forests; Laramie Interfaith; Marathon Pipeline; Wyoming Department of Transportation (2); Jerry Peterson; American City & County; Wyoming Rural Electric News; The Epoch Times; Wyoming Department of Environmental Quality (2) & Wyoming RoadWork Guide.

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

REGULAR AGENDA

6. Release of the Irrevocable Letter of Credit provided for the required improvements for the Vista Grande Estate Second Filing- A Replat of Lot 4, Block 2, Vista Grande Estates LLC.

MOTION by Gosar to APPROVE Release of the Irrevocable Letter of Credit provided for the required improvements for the Vista Grande Estate Second Filing- A Replat of Lot 4, Block 2, Vista Grande Estates LLC.

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

7. Contract between Board of Commissioners of the County of Albany, Wyoming and Tough Guys Lawn Care & Sprinklers for Snow Removal Services at 3821 Beech Street from October 1, 2020 through April 30, 2021 in the amount of \$2,940.00.

MOTION by Richardson to APPROVE Contract between Board of Commissioners of the County of Albany, Wyoming and Tough Guys Lawn Care & Sprinklers for Snow Removal Services at 3821 Beech Street from October 1, 2020 through April 30, 2021 in the amount of \$2,940.00.

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

8. Sub-Recipient Amendment One Funding Agreements between the Albany County Commissioners and CLIMB Wyoming, Cathedral Home for Children Extended Families Program, Interfaith Good Samaritan and My Front Door for the reallocation of TANF/CPI 2019-2020 grant funding (CFDA #93.558) for services provided between the date of the executed grant agreement and September 30, 2020.

MOTION by Richardson to APPROVE Sub-Recipient Amendment One Funding Agreements between the Albany County Commissioners and CLIMB Wyoming, Cathedral Home for Children Extended Families Program, Interfaith Good Samaritan and My Front Door for the reallocation of TANF/CPI 2019-2020 grant funding (CFDA #93.558) for services provided between the date of the executed grant agreement and September 30, 2020.

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

9. Application for the 2020 Local Government Energy Improvement Retrofit Grant through the Wyoming Energy Authority in the amount not to exceed \$25,000.00 to replace lighting at the Road and Bridge Shop.

MOTION by Gosar to APPROVE Application for the 2020 Local Government Energy Improvement Retrofit Grant through the Wyoming Energy Authority in the amount not to exceed \$25,000.00 to replace lighting at the Road and Bridge Shop.

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

10. Wyoming Court Supervised Treatment Program State Fiscal Year 2021 Surcharge Application for the Albany County Court Supervised Treatment Program in an amount not to exceed \$43,000.00.

MOTION by Richardson to APPROVE Wyoming Court Supervised Treatment Program State Fiscal Year 2021 Surcharge Application for the Albany County Court Supervised Treatment Program in an amount not to exceed \$43,000.00.

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

11. Wyoming Court Supervised Treatment Program State Fiscal Year 2021 Surcharge Application for the Integrated Juvenile Treatment Program in an amount not to exceed \$38,000.00.

MOTION by Gosar to APPROVE Wyoming Court Supervised Treatment Program State Fiscal Year 2021 Surcharge Application for the Integrated Juvenile Treatment Program in an amount not to exceed \$38,000.00.

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

12. Contract between the Board of Commissioners of the County of Albany, Wyoming by and through the Albany County Integrated Juvenile Treatment Program and Peak Wellness Center for Treatment Services of Participants in an amount not to exceed \$43,750.00 from July 1, 2020 through June 30, 2021.

MOTION by Richardson to APPROVE Contract between the Board of Commissioners of the County of Albany, Wyoming by and through the Albany County Integrated Juvenile Treatment Program and Peak Wellness Center for Treatment Services of Participants in an amount not to exceed \$43,750.00 from July 1, 2020 through June 30, 2021.

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

13. Discuss creating a Civil Attorney position that would serve the Commissioners and all County Departments.

Discussion was had between the Board of County Commissioners' and Peggy Trent, Albany County and Prosecuting Attorney as to how to assist her with the additional workload placed on her office due to COVID and increased trials, specifically with the Civil side of her responsibilities. Providing an additional Civil Attorney may help alleviate the backflow of work. Chairperson Jones asked that the County Clerk and County Treasurer to look at the financial cost and report back at the September 1st meeting.

- 13a. Resolution No. 2020-025 Resolution Declaring Fire Restrictions and Ban on the Use of Fireworks.

MOTION by Gosar to APPROVE Resolution No. 2020-025 Resolution Declaring Fire Restrictions and Ban on the Use of Fireworks.

RESOLUTION NO. 2020-025
RESOLUTION DECLARING FIRE RESTRICTIONS AND BAN ON THE USE OF FIREWORKS

WHEREAS, a potentially severe to extreme fire situation exists throughout Albany County, created by a heavy fuel load and dry conditions that could create situations that over-extend the firefighting capability of local government. Additionally, high fire danger may be aggravated by open burning and the use of incendiary devices.

WHEREAS, Wyo. Stat. § 35-9-301 through § 35-9-304 provides that upon the recommendation of the County Fire Warden the Board of Albany County Commissioners may close the area to any form of use by the public or limit such use which shall include the prohibition of any type of open fire for such periods of time as the Board may deem necessary and proper.

WHEREAS, the County Fire Warden, Chad Dinges has recommended that open burning restrictions be imposed on all non-federal land within Albany County after a reasonable time for notice;

WHEREAS Wyo. Stat. § 35-10-201 through 35-10-208 allow for the regulation of fireworks;

WHEREAS, any violation of this resolution may be in violation of Wyo. Stat. § 35-9-304 punishable by up to thirty (30) days in jail and up to a one hundred dollars (\$100.00) fine or both together with restitution for the cost of fire suppression and damages to others caused by the violation of this resolution;

WHEREAS, this open fire restriction and ban on the use of fireworks shall begin August 19, 2020 and end no later than November 1, 2020 unless temporarily lifted or re-imposed by the County Fire Warden.

NOW THEREFORE, BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS HEREBY RESOLVES as follows:

1. That all outdoor fires, any discharge of any Explosives, Division 1.4 (common fireworks), or Division 1.3 (Display Fireworks) and the discharge of a firearm using incendiary or tracer ammunition are prohibited except as set forth below, in the unincorporated area of Albany County, Wyoming beginning on August 19, 2020 and ending no later than November 1, 2020 unless temporarily lifted or re-imposed by the County Fire Warden during that term;

2. That the prohibition is subject to the following exceptions:

(a) Trash or refuse fires between the hours of 8:00 p.m. and 6:00 a.m., inside containers provided with a spark arrester screen and located within a cleared area ten (10) feet in radius and fire suppression means are present at the site and comply with all other laws and requirements.

(b) Attended campfires contained within an established fire ring, no larger than three (3) feet in radius, in an established campground and located within a cleared area ten (10) feet in radius or an outdoor residential free standing fire pit with spark arrester screen within a cleared area ten (10) feet in radius and fire suppression means are present at the site.

- (c) Charcoal, pellet or propane fires within enclosed grills located within a cleared area ten (10) feet in radius and fire suppression means are present at the site.
- (d) Use of acetylene cutting torches or electric arc welders in cleared areas ten (10) feet in radius, and fire suppression means are present at the site.
- (e) Propane or open branding activities, in cleared areas ten (10) feet in radius, and fire suppression means are present at the site.
- (f) Internal or external combustion engines including ATV's and motorcycles shall have approved spark arrestors.
- (g) Use of a chainsaw is permitted, if it has an approved spark arrestor, and fire suppression means are present at the site.
- (h) Discharge of fireworks are prohibited except as authorized by a permit granted by the County Fire Warden for public display.

3. That all other outdoor fires are prohibited except as authorized by a permit granted by the County Fire Warden and as outlined in Paragraph 2 (b) herein. Applications for a Burn Permit are available from the County Fire Warden. If the County Fire Warden denies the Application, the matter may be appealed to the Board of County Commissioners at their next regular monthly meeting by contacting the County Clerk. The County Fire Warden shall have the authority to determine the terms and conditions of the permit including requirements for proof of liability insurance.

4. That the ban does not include the listed exceptions set forth in Wyo. Stat. § 35-10-204, the areas within the incorporated cities and towns within Albany County, or federal lands managed by the Forest Service and BLM. These entities may impose more or less restrictive regulations.

5. That the County Fire Warden shall immediately provide a copy of this Resolution to the County Sheriff, State Land Commissioners, Bureau of Land Management, National Park Service, U.S. Forest Service and State Forester and other state and federal agencies.

6. That the County Fire Warden shall immediately post fire restriction signs throughout the County and notify the public through advertisement in the newspaper published in the County, by press release to the Radio and TV stations broadcasting within Albany County, the County Web Site www.co.albany.wy.us and any other method that would economically notify the public.

7. That a violation of this resolution may be in violation of Wyo. Stat. § 35-9-304 punishable by up to thirty (30) days in jail and up to a one hundred dollars (\$100.00) fine or both together with restitution for the cost of fire suppression and damages to others caused by the violation of this resolution;

8. The County Fire Warden has the authority to temporarily lift and or re-impose this Fire Restriction and shall provide notice as set forth in Paragraph 6 herein.

9. The purpose of this emergency resolution is to protect the health, safety, and general welfare of the people within the County and due to the serious immediate concern of our community the County Commissioners adopt this emergency resolution.

PASSED AND APPROVED this 18th day of August 2020.

/s/ Terri Jones
Terri Jones, Chairperson

Albany County Board of County
Commissioners

ATTEST:

/s/ Jackie R. Gonzales
Jackie R. Gonzales, County Clerk

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

14. Payroll and Vouchers for August 2020.

MOTION by Gosar to APPROVE Vouchers and Payroll for August 2020 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 Expenditures:** A&E 2020 Grand, \$1,077.82, office rent; Ace Hardware, \$103.04, supplies; Aflac, \$677.42, payroll contribution; Albany County Employee Health Benefits, \$163,586.82, payroll contribution; AlcoPro, \$550.00, alcohol sensor; American Legion, \$9,000.00, office building rent; American Security Cabinets, \$2,029.00, ballot drop box; AMS, \$814.96, electronic monitoring; ArcaSearch, \$80,248.13, document digitizing; Barcodes, \$144.33, supplies; C&S Trailer Supply, \$774.40, election trailer; C&W Truck & Trailer Parts, \$154.59, parts; Carbon Power & Light, \$112.71, utilities; Carly-Ann Carruthers, \$10,500.00, updates; Central Restaurant Products, \$64.76, supplies; Century Link, \$2,340.66, \$562.36, telephones; Charter Communications, \$180.53, utilities; City of Laramie, \$800.00, \$37.83, training/landfill fees; Clerk of the District Court, \$1,100.67, payroll contribution; Colonial Life & Accident, \$88.91, payroll contribution; Complete Mailing Solutions, \$94.61, postage machine ribbon; Corthell & King, \$495.00, Court Appointed Attorney; CSBG Board, \$395.87, CSBG; Curran Law, \$1,775.00, Defense Attorney Contract; Delta Dental, \$5,926.55, payroll contribution; Department of Family Services, \$10.00, background check; Department of Workforce Services, \$5,951.50, unemployment compensation; Downtown Clinic, \$6,149.00, CSBG; Electrical Solutions, \$33,710.00, generator installation; Family Promise, \$680.83, CSBG; Olivia Gallegos, \$200.00, investigations; Joe Garcia, \$1,090.00, office painting; Grand Avenue Urgent Care, \$3,620.00, drug testing; Grease Monkey, \$79.10, car wash cards; Greater WY BBBS, \$5,017.12, TANF/CPI; Kim Gullickson, \$1,586.25, Fuels Coordinator; Jennifer Hanft, \$452.50, Court Appointed Attorney; Hucke Law, \$260.10, Court Appointed Attorney; J&H Towing, \$663.00, investigation; Jo-Ed Produce, \$428.75, boarding of prisoners; Kinsco, \$16.00, uniforms; Laramie GM Auto, \$1,143.67, vehicle maintenance; Laramie Investment Co, \$50.00, notary bond; Laramie Reproductive Health, \$2,879.00, CSBG; Laramie Telephone Exchange, \$90.00, repairs; Life Investors, \$306.00, payroll contribution; Malone Belton Abel, \$1,370.00, north entrance; Hannah Martin, \$540.00, painting; McKesson Medical Surgical, \$400.67, medical supplies; Meadow Gold Dairy, \$158.16, boarding of prisoners; Napa Auto Parts, \$18.50, parts; New York Life, \$328.56, payroll contribution; Orchard Trust, \$8,016.08, payroll contribution; Peak1 Administration, \$1,308.30, payroll contribution; Powers Logging, \$48,825.00, hazardous fuels; Ranchers Supply, \$8.75, parts; Redwood Toxicology, \$143.55, drug testing supplies; Rocky Mountain Power, \$6,831.07, utilities; Schilling & Winn, \$2,452.65, Court Appointed Attorney; SE Group, \$1,442.09, Pilot Hill; MaryAnn Silva, \$86.25, janitorial services; The Clinic for Mental Health, \$18,310.22, contracts; The Home Depot, \$1,170.92, supplies; The Plumbing Company, \$302.58, repairs; Tough Guys Lawn Care, \$840.00, utilities; Transunion Risk & Alternative, \$50.00, investigations; True Value, \$9.77, parts; United Way, \$382.00, payroll contribution; US Bank Equipment Finance, \$600.43, copier lease; US Food Service, \$3,196.76, boarding of prisoners; VALIC, \$1,215.00, payroll contribution; Volunteer Fireman's Retirement, \$787.50, pension contribution; Western States Fire Protection,

\$445.00, backflow testing; Wilken Enterprises, \$4,575.00, janitorial contract; Wyoming Child Support Enforcement, \$1,114.39, payroll contribution; Wyoming Machinery, \$568.38, repairs; Wyoming NCPERS, \$1,072.00, payroll contribution; Wyoming Retirement System, \$107,840.50, payroll contribution; Wyoming Workers Compensation, \$8,778.81, payroll contribution; **Ratified & Special Fund Expenditures:** Blue Cross Blue Shield, \$64,345.82 \$31,986.43, \$5,943.66, \$16,371.08, claims/administration; CivicPlus, \$17,439.12, website; Medliminal, \$396.00, contract; Teamlab Innovative Services, \$9,430.50, R&B drums; **TOTAL GENERAL AND SPECIAL REVENUE EXPENDITURES: \$571,207.68 TOTAL RATIFIED & SPECIAL FUND EXPENDITURES: \$145,912.61 TOTAL PAYROLL: \$561,090.33 TOTAL EXPENDITURES: \$1,278,210.62.**

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

15. Adjourn.


MOTION by Gosar to ADJOURN the Regular Meeting of August 18, 2020 at 10:47 a.m.

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

BOARD OF COUNTY COMMISSIONERS

/s/ Terri Jones, Chairperson

ATTEST:



Jackie R. Gonzales, County Clerk