



**BOARD OF COUNTY COMMISSIONERS
MINUTES OF PROCEEDINGS
AUGUST 2, 2011**

The regular meeting of the Board of County Commissioners was brought to order at 5:30 p.m. by Chairman Opella. Those in attendance were Commissioners Bill McDowell, Rob Hendry, Terry Wingerter, Matt Keating, County Clerk Renea Vitto, County Attorney Bill Knight, Deputy County Attorney Heather Duncan-Malone, and Commissioners' Secretary Michelle Maines.

Commissioner McDowell moved to approve the Minutes of Proceedings for July 18, 2011. The motion was seconded and carried.

Commissioner Wingerter moved to approve the Minutes of Proceedings for July 26, 2011. The motion was seconded and carried.

Commissioner Wingerter moved to approve the payment of bills in the amount of \$1,004,877.62. The motion was seconded and carried.

Commissioner Wingerter moved to approve Sara Shutts as the Commissioner Scholarship Renewal recipient. The motion was seconded and carried.

Commissioner Hendry moved to switch the Contracts, Agreement and Resolutions before the Public Hearings. The motion was seconded and carried.

Public Hearings:

A. Consider the Enlargement of the Boundaries of the Poison Spider Improvement & Service District (Resolution 38-11)

Dave Drell, attorney representing the Poison Spider I & SD reported the district is in the process of updating, replacing and improving water distribution; district has received requests from six separate owners outside of the district to take part; request has been approved by the district board. Board President, Bill Cozar was present for any questions.

Chairman Opella opened the public hearing.

Hearing no comments in favor or opposition, Chairman Opella closed the public hearing.

Commissioner Hendry moved to approve Resolution 38-11, A Resolution Declaring the Enlargement of the Poison Spider Improvement & Service District. The motion was seconded and carried.

B. CUP11-0004

Gene Wallace, NC Development reported this is a request by Tim Frank & Michelle Wallace-Frank for approval of a Conditional Use Permit (CUP) to allow installation of an approximately thirty nine (39) foot Skystream Wind Generator in the Mountain Residential One (MR-1) zoning district, 6210 S. Gothberg Road (10 acre parcel). The Planning and Zoning Commission recommended approval on July 13, 2011. CUP shall become effective when NC Development Department has received copies of applicant's Interconnection Agreement and Net Metering Agreement with Rocky Mountain Power. Applicant will be limited to one (SWES) small wind energy system. To date, there have been no comments received.

Chairman Opella opened the public hearing.

Speaking in favor: Michelle Wallace-Frank, Tim Frank, Gene Theriault, and Deb Theriault.

Hearing no comments in opposition, Chairman Opella closed the public hearing.

Commissioner Wingerter moved to approve the Conditional Use Permit. The motion was seconded and carried.

C. TA11-0001

Gene Wallace reported this is a request by NC Development Dept. staff to amend the text of the Zoning Resolution of NC, WY Chapter VII Section 7 & relating to Nuisance & Storage Requirements; Chapter XI Section 2 relating to CUPs. On July 13, 2011 the Planning & Zoning Commission recommended approval. Currently, any accumulation of collector cars, not associated with a permitted auto reduction yard/recycling center is considered a nuisance. The P & Z Commission has recommended the fee of \$300.00 for a car collector storage CUP be reduced to \$100.00 and waived for twelve months from the date of approval (*please see packet in BOCC Proceedings for proposed text amendment changes*).

Chairman Opella opened the public hearing.

Speaking in favor were: Don Pazick, Tom Richardson, and George Tillman,

Speaking somewhat in favor were Stan Goodwin and Dick Sadler and Don Wolcott.

Speaking in opposition: Dick Gilbert, Judy Jones (spoke/read a letter on behalf of Barbara Peryam), John Stevenson, Gerry Knight, Bill Lichliter, Greg Robinson, Troy Bray, Dana Jones, and Ryan Owens.

Hearing no further comments, Chairman Opella closed the public hearing.

During the public hearing, Attorney Knight clarified the inspection process and how it applies to junk and nuisances. Inspections for nuisances do not apply to buildings; nothing in the text amendment would prohibit the storage of a vehicle on a property with proper permit; without the needed auto reduction recycling center permit, property owner would not be able to store vehicles.

Commissioner Hendry moved to approve the Text Amendment. Commissioner McDowell seconded the motion.

Commissioner Keating moved to approve the original motion with an amendment that the 1.5 ton weight limit be changed to car, truck or specialty vehicle which was previously licensed for highway. Commissioner Wingerter seconded the amendment.

Commissioner Hendry confirmed with Attorney Knight that this could require more screening and the allowance of fewer vehicles.

Commissioner Wingerter asked his fellow commissioners to have a heart.

Attorney Knight asked for clarification of a specialty vehicle. He requested the amendment be changed to any inoperable or unlicensed vehicle, car, truck or motor vehicle which was previously licensed. Permitting will still be based on the zoning district in which the subject property is located.

Attorney Bill Knight reported the official revised amended definition will be:

Collector Vehicles are defined as any inoperable or unlicensed car, truck or motor vehicle, which was previously licensed, including parts vehicles having historical or economical appeal to the individual accumulating the vehicles and which are stored and maintained in the manner which emphasizes preservation of vehicles and prevents or minimizes their physical deterioration. Commissioner Keating moved to amend his original amendment to that stated by Attorney Knight. Commissioner Wingerter seconded this amendment to the original amendment.

Commissioner Hendry stated the original county resolution allowed zero antique cars; there has been a tremendous victory tonight.

Commissioner McDowell was opposed to the amendment due to definition being too broad.

Commissioner Keating stated the citizens will need to meet the county half way.

The amended motion was carried with Commissioners Keating, Wingerter, and Hendry voting in favor and Commissioner McDowell voting against. The amended motion was carried.

Contracts, Agreements, Resolutions:

A. Agreement for Professional Services between NC & Holthouse Appraisal Group-Alcova & Pathfinder Reservoirs

Attorney Malone reported this is an agreement to hire Mr. Holthouse to perform appraisals of Alcova and Pathfinder properties; appraisal is required every five years as stated in the MOU with the Bureau of Reclamation (BOR). Agreement has been approved as to form.

Commissioner Keating moved to approve the agreement. The motion was seconded and carried.

B. Resolution 36-11 Setting Service of Process Fees for July-December 2011

Attorney Knight reported the BOCC is required by state statute to set fees biannually. Legislature has raised the current fee from \$35 to \$50 per single service, includes three attempts; \$5 to \$10 for each attempt thereafter the third attempt.

Commissioner Wingerter moved to approve Resolution 36-11. The motion was seconded and carried.

C. Resolution 37-11 Supporting Submission of Application to the WY Business Council through the Business Committed Grant & Loan Program, on behalf of the ARAJPB

Attorney Knight reported this resolution was prepared by the City of Casper; approving the grant application for an additional roadway in the Salt Creek Business Park; matching grant fees will be paid by developer. Agreement and resolution have been approved as to form.

Commissioner Wingerter moved to approve the Resolution 37-11. The motion was seconded and carried.

D. Provider Agreement-Cornerstone

Attorney Knight reported the City of Casper has agreed to pay for the placement of juveniles at the Regional Juvenile Detention Center at the rate of \$7,500 per month; this is the same rate the city paid Cornerstone; prior to the construction of the new NCRJDC, the city contracted with Cornerstone. Agreement has been approved as to form.

Commissioner McDowell moved to approve the Agreement. The motion was seconded and carried.

Commissioner Wingerter asked if all the other municipalities paid the same.

Attorney Knight reported the municipalities have been paying the same rate.

E. Business Ready Community Grant & Loan Program Grant Agreement between the WY Business Council & NC-Airport Fiber Optic Installation Project

Attorney Knight reported the agreement has been approved as to form.

Commissioner Hendry moved to approve the Agreement. The motion was seconded and carried.

F. Juvenile Accountability Block Grant Contract between the State of WY, DFS, & NC

Attorney Malone reported the agreement is to fund the position of a CHINS coordinator/probation officer; agreement has been approved as to form.

Commissioner Wingerter moved to approve the Block Grant Contract. The motion was seconded and carried

G. Amendment No. 1 to MOU between State of WY, DFS and the BOCC of NC

Attorney Malone reported this amends the standards of the PACT assessment; approved as to form. Brian Christensen, District Attorneys Office, has also approved the amendment.

Commissioner McDowell moved to approve the Amendment. The motion was seconded and carried

Approval of the Consent Agenda

Commissioner Hendry made the motion to approve the Consent Agenda. The motion was seconded and carried.

Public Comments:

There being no comments the floor was closed.

Commissioner Comments:

Chairman Opella opened the floor to Commissioner Comments.

Commissioners recognized and congratulated the County Legal, the P & Z Commissioners and Development Department for their progress.

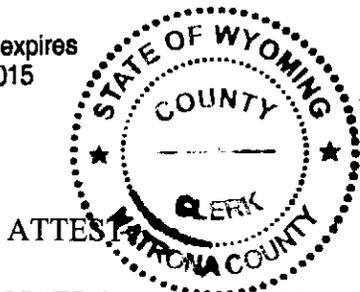
Commissioner McDowell reported on all CAEDA's efforts to assist the Airport with the fiber optic grant.

Hearing no further comments the floor was closed.

Adjournment:

There being no further business to come before the Board of Commissioners, Chairman Opella adjourned the meeting at 8:02 p.m.

My term of office expires
January 5, 2015



ATTEST

NATRONA COUNTY CLERK

Renea Vitto
Renea Vitto

BOARD OF NATRONA COUNTY COMMISSIONERS

Ed Opella
Ed Opella, Chairman.