



**BOARD OF COUNTY COMMISSIONERS
MINUTES OF PROCEEDINGS
TUESDAY, AUGUST 3, 2010**

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

Commissioner Peryam moved to approve the Meeting Minutes of Proceedings for July 19, 2010. The motion was seconded and carried.

Commissioner Wingerter moved to approve the payment of bills in the amount of \$823,194.81. Commissioner Peryam abstained from voting on the Mountain View Sub Shop payment in the amount of \$219.02. The motion was seconded and carried.

Public Hearings:

Please note ZC10-0001, ZC10-0002 and ZC10-0003 will be held as one public hearing due to zoning and aerial map of all properties.

A. ZC10-0001

Gene Wallace, Planning & Development reported on a request by Jerry Cook & Cheri Cook to consider an application for Zone Map Amendment to allow a Zone Change from the existing Ranching, Agricultural & Mining (RAM) zoning district to Urban Agricultural (UA) zoning district; the property is located at 2850 Phillips Lane. Planning & Zoning Commission recommended approval on July 14, 2010 after hearing four public comments in support and two public comments in opposition. The affected parcel is a 157.702 acres; adjacent property to the north, northeast and west is also zoned (RAM); parcel lies within boundaries of the Poison Spider Improvement & Service District; no spot zones will be created; zone change will most likely precursor subdivision in the future and enhances the availability of land near population and promotes compatible and productive land uses that will ultimately benefit the county. Request for zone change is a reflection of anticipated growth; meets standards because of similarity land uses, combined with a reduction in required minimum lot sizes from thirty-five acres to ten acres.

B. ZC10-0002

Gene Wallace, Planning & Development reported on a request by Patrick Munsell & Debra Sue to consider an application for a Zone Map Amendment to allow a zone change from the existing Ranching, Agricultural & Mining (RAM) zoning district to Urban Agricultural (UA) zoning district; the property is located at 2900 Phillips Lane. Planning & Zoning Commission recommended approval on July 14, 2010 after hearing four public comments in support and two public comments in opposition. The affected parcel is

a 48.649 acres; adjacent property to the north west, northeast and west is also zoned (RAM); parcel lies within boundaries of the Poison Spider Improvement & Service District; no spot zones will be created; zone change will most likely precursor subdivision in the future and enhances the availability of land near population and promotes compatible and productive land uses that will ultimately benefit the county. Request for zone change is a reflection of anticipated growth; meets standards because of similarity land uses, combined with a reduction in required minimum lot sizes from thirty-five acres to ten acres.

C. ZC10-0003

Gene Wallace, Planning & Development reported on a request by Andrew & Michele Joswik to consider an application for Zone Map Amendment to allow a Zone Change from the existing Ranching, Agricultural & Mining (RAM) zoning district to Urban Agricultural (UA) zoning district; the property is located at 15205 Poison Spider Road. Planning & Zoning Commission recommended approval on July 14, 2010 after hearing four public comments in support and two public comments in opposition. The affected parcel is a 42.2 acres; adjacent property to the north, northeast and west is also zoned (RAM); parcel lies within boundaries of the Poison Spider Improvement & Service District; no spot zones will be created; zone change will most likely precursor subdivision in the future and enhances the availability of land near population and promotes compatible and productive land uses that will ultimately benefit the county. Request for zone change is a reflection of anticipated growth; meets standards because of similarity land uses, combined with a reduction in required minimum lot sizes from thirty-five acres to ten acres.

Chairman Hendry declared the public hearing open.

Speaking in favor were Jerry & Cheri Cook, Debbie & Patrick Munsell, Andrew & Michelle Joswik all of Natrona County.

Speaking in opposition were Harv Gloe, Maureen Cloutier, Cynthia & Kurt Li, Harold Reimler, Rick & Terry Wimer all of Natrona County. All speakers were opposed to the zone change in hope to preserve the rural lifestyle. Resident/Landowners feel there is a precedence to subdivide parcel into ten acre lots, even though those requesting the zone change deny their plans to subdivide property. There are currently family exemptions allowed by state statute, therefore ultimately a ten acre parcel could be given to family without splitting the property.

Hearing no further comments Chairman Hendry closed the public hearing.

Commissioner Opella made motion to approve ZC10-001. Commissioner Keating seconded the motion. Commissioners then went into further discussion. County Clerk Renea Vitto took roll call. Commissioner Keating voted yes, Commissioner Opella voted yes, Chairman Hendry voted no, Commissioner Peryam voted no, Commissioner Wingerter voted no. Motion was defeated.

Commissioner Wingerter made motion to deny ZC10-0002. The motion was seconded and carried.

Commissioner Peryam made motion to deny ZC10-0003. The motion was seconded and carried.

D. CUP10-0011

Gene Wallace, Planning & Development reported on a request by Cathy Lampert to consider an application for a Conditional Use Permit to allow three (3) horses in the Urban Residential (UR) zoning district;

property generally located at 4598 Boles Road. Planning & Zoning Commission recommended approval on July 14, 2010 after hearing six public comments in support; to date staff has received one letter in support after the meeting. Zoning to the north and west are zoned Urban Agricultural. Approving the CUP will impair use of the adjacent property, alter neighborhood character, threaten public health, safety and welfare.

Chairman Hendry declared the public hearing open.

Speaking in favor were Kathy Lampert, Lloyd Eldridge, Starla Hughes, Lafetta Edwards, Robin Dubrey all of Natrona County. All residents expressed their desire for smaller animal allowances, unstanding the need for larger animals being considered a permitted use. Step up for the kids and work with the planning board, as many families cannot afford three hundred dollars for a CUP. Everyone reported the horses have always been taken care of very well.

Linda McLarnan, NC Code Enforcement spoke regarding some of the options and ideas of zoning allowance and reasons for CUP in this area.

Hearing no further comments Chairman Hendry closed the public hearing.

Commissioner Wingerter made motion to approve the CUP. Commissioner Keating seconded the motion. Commissioner Keating amended his second to approve the motion and to waive the CUP fee. Commissioner Opella was opposed to waiving the fee. The amendment was seconded and carried.

E. TA10-0003

Gene Wallace, Planning & Development reported on a request by NC Development Department staff to amend text of the zoning resolution of NC to remove the phrase "airports and heliports" from definition to Agricultural, commercial ranching and agriculture and associated accessory uses. Planning & Zoning Commission recommended approval on July 14, 2010 after hearing no public comments in favor or in opposition. Approving the text amendment will change conditions of uses and remove conflict.

Chairman Hendry declared the public hearing open.

Hearing no comments Chairman Hendry closed the public hearing.

Commissioner Opella made the motion to approve TA10-0003. The motion was seconded and carried.

Contracts, Agreements, Resolutions:

A. Resolution 40-10 Pledging County Finding for the Purpose of Constructing a Juvenile Detention Facility

Attorney Heather Malone reported this resolution formally pledges county funds and where the funds will be used.

Commissioner Peryam made motion to accept Resolution 40-10. The motion was seconded and carried.

B. Emergency Siren Access & Use Agreement - Airport

Commissioner Wingerter made motion to accept the Agreement. The motion was seconded and carried.

C. Grant Award for U.S. Department of Homeland Security, FY 2010 Emergency Management Performance Grant ; Political Subdivision: NC; Award Amount: \$29042.00; Match Amount: \$29042.00; Opportunity Number: DHS-10-GPD-042-008-01; Award Period: October 1, 2009 to Match 31, 2011 – CFDA #: EMPG-97.042; Project ID: 1-GPD-NAT-EM-GCF10

Attorney Heather Malone reported this is a grant the county enters into yearly.

Commissioner Keating made motion to accept the Grant. The motion was seconded and carried.

D. Professional Services Contract between NC & Allegra Davis

Attorney Bill Knight reported this is a new contract for the Guardian Ad Litem Program. Contract has been approved as to form.

Tim Cotton, Supervisor/Administrator of the Guardian Ad Litem Program reported he has a few more contracts in the works.

Commissioner Wingerter made motion to accept the contract. The motion was seconded and carried.

Consent Agenda

Commissioner Peryam moved to accept the Consent Agenda. The motion was seconded and carried.

Public Comments

Chairman Hendry opened the floor.

Hearing no comments the floor was closed.

Commissioner Comments

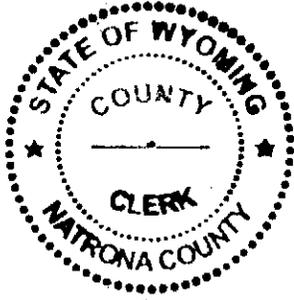
Chairman Hendry opened the floor.

Hearing no comments the floor was closed.

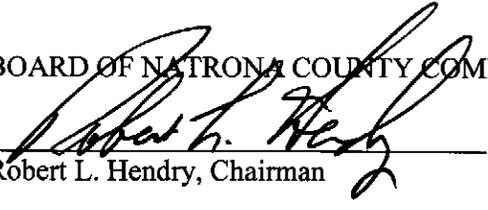
Adjournment

There being no further business to come before the Board of Commissioners Chairman Hendry adjourned the meeting at 8:20 p.m.

My term of office expires
January 6, 2011

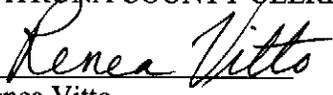


BOARD OF NATRONA COUNTY COMMISSIONERS


Robert L. Hendry, Chairman

ATTEST:

NATRONA COUNTY CLERK


Renea Vitto