



**BOARD OF COUNTY COMMISSIONERS
MINUTES OF PROCEEDINGS
Tuesday, October 6, 2009**

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

Commissioner Peryam moved to approve the Minutes of Proceedings for September 15, 2009. The motion was seconded and carried.

Commissioners Keating made motion to approve the bills in the amount of \$2,046,934.18. The motion was seconded and carried.

Public Hearings:

A. CUP09-0012

Gene Wallace reported this is a request by Mountain West Telephone/WERCs Communications, represented by James W. Coberly to consider an application for a conditional use permit to allow deployment of fixed location, low-power FCC licensed microwave equipment designed to provide carrier grade service, bundled phone lines, phone and high speed internet capabilities to consumer locations in the Urban Agricultural (UA) and Suburban Residential One (SR-1) zoning districts. Tower location #1 -11002 Ridgeview Road, Evansville; Tower location #2-9075 North Mohican, Casper. Mountain West Telephone is a locally owned Competitive Local Exchange Carrier (CLEC) that provides phone and high speed internet services to Wyoming. On September 15, 2009 the Planning & Zoning Commission recommended approval with the stipulation the requested deployment shall be limited to two telephone poles/towers installed at locations will equipment. This system is a relatively new approach for services offered. Granting this Conditional Use Permit will not overburden county services; will not generate traffic problems; will not contribute to population or environmental problems; will not impair the use of adjacent property or alter the character of the neighborhood; public health and safety will not be affected by digital; technology. To date staff has received no public comment

Chairman Hendry declared the public hearing open:

Speaking in favor was Velvet Mochlan, Casper, Wyoming; Brent Benham, Mountain West Telephone.

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

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

B. PS09-0024

Gene Wallace reported this is a request for alteration of Lake Ridge Estates Planned Unit Development (PUD) concept plan, affecting tracts located in Sections 20, 21, 29 and 30; more generally located south of Hwy 220 approximately one mile west of Lakeshore Drive. On September 8, 2009 the Planning & Zoning Commission recommended approval. To date the staff has received one public comment. The following items have been filed with the County Clerk's office: Agreement Between the BOCC of NC & Lake Ridge Estates; Final Plat of Lake Ridge Estates; Subdivision Improvement Agreement for Lake Ridge Estates Subdivision; Declaration of Covenants, Conditions, Requirements and Reservations for Lake Ridge Estates Subdivision. Applicant has submitted a letter describing the modifications sought in order to protect property values in the Lake Ridge Estates Subdivision and a marked up copy of documents originally entered into between the applicant and county, showing the requested modifications. The proposed restricting of Lots 1 and 2 to residential uses, eliminating commercial uses, making the lots compatible to the adjacent lots to the south; permitted uses on Lots 3-10 have been changed from 24 to 6, limiting the diversity of uses in order to protect property values; Conditional uses on Lots 3-10 have been reduced from 9 to 4; prohibited uses have been increase from 5 to 6. Minimum square footage for one story structures has been increased from 1,500 to 1,850; minimum square footage has been increased to 800. To date staff has received no public comment.

Chairman Hendry declared the public hearing open:

Scott Brownell spoke in favor.

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

Commissioner Peryam moved to approve the Planned Unit Development. The motion was seconded and carried.

C. ZC09-0003

Gene Wallace reported this is a request by Wyoming Machinery Company to consider an application for a Zone Map Amendment to allow a zone change from the existing Urban Agricultural (UA) zoning district to the Light Industrial (LI) zoning district, affecting Lot 1 of proposed Wyoming Machinery Company Simple Subdivision, said subdivision being replat of Lots 3, 4; the affected already is more generally referred to as 5302 Chase Rd, Casper. On September 8, 2009 the Planning & Zoning Commission recommended approval. On September 8, 2009 staff heard one public comment. To date staff has received no other comment. The proposed hereunder is undertaken in recognition of changing conditions in an area presently characterized by compatible land uses. The land affected by the proposed zone changes located on Chase Road, adjacent to the U.S. Highway 20-26 bypass. Proximity to the highway presents a logical rationale for sitting a heavy equipment yard.

Chairman Hendry declared the public hearing open:

Hearing no more comments in favor or against, Chairman Hendry closed the public hearing.

Commissioner Wingerter moved to approve the Zone Change. The motion was seconded and carried.

D. TA09-0007

Gene Wallace reported this is a request by Natrona County Development staff to consider an application for a Text Amendment to the Zoning resolution of Natrona County, Wyoming allowing railroad tracks, railroad switching, transloading, rail facilities and rail spurs as conditional uses in the Heavy Industrial (HI) zoning district. On September 8, 2009 the Planning & Zoning Commission recommended approval. On September 8, 2009 staff heard one public comment; to date staff has received no further public comment. Natrona County's airport is a transportation hub for persons traveling to Casper and other regional destinations. In 2008 efforts commenced to expand logistics capabilities in the airport vicinity. Development of the Casper Logistics Hub envisioned an expansion based near the existing Burlington Northern Santa Fe railroad right-of-way and also near the airport and Foreign Trade Zone. The proposed text amendment meets the standard because it facilitates County effectiveness and incorporates flexibility in the Zoning Resolution standards.

Chairman Hendry declared the public hearing open:

Hearing no more comments in favor or against, Chairman Hendry closed the public hearing.

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

E. Hearing on Viewer's Report and Petition to Vacate Ardon Lane

The full transcripts are filed with the legal department.

Contract, Agreements, Resolutions

A. Ratification of Amendment Number Two Grant Agreement Between The Wyoming Business Council and Natrona County

Commissioners Peryam moved to approve the Agreement. The motion was seconded and approved.

B. Hampton M. Young, Jr.-State Public Defender for the Seventh Judicial District

Commissioner Peryam moved to approve the Appointment. The motion was seconded and carried.

C. Resolution 53-09 Appointing Viewers and Agreeing to Add An Additional 1.4 Miles to Natrona County Road 119/Six Mile Road To The Industrial Road Project

Mike Haigler, NC Road & Bridge Supervisor reported these viewers are the same and Bishop.

Commissioner Keating moved to approve Resolution 53-09. Motion was seconded and carried.

D. Ratification of Amendment To Grant Award Agreement-CFDA#: EMPG; DHS Grant: 2008-EM-E8-0023; Project ID: 08-GPD-NAT-EM-GCF8

Commissioners Peryam moved to approve the Grant Agreement. The motion was seconded and carried.

E. FY 2009 IECGP Grant-25% Match

Commissioners Peryam moved to approve the Grant Agreement. The motion was seconded and carried.

F. FY 2009 Citizens Corp-Award Amount: \$7,724.57; Award Period: August 1, 2009 through April 30, 2012; CFDA#: 97.067; DHS Grant Code: 2009-SS-T9-0013; Project ID: 09-GPD-NAT-CC-HCC9; Non-Matching

Commissioners Keating moved to approve the Grant Agreement. The motion was seconded and carried.

G. FY 2009 Law Enforcement Terrorism Prevention Planning-Organization, Training, Exercise & Equipment-Award Amount: \$236,515.21; Award Period: August 1, 2009 through April 30, 2012; CFDA#: 97.067; DHS Grant Code: 2009-SS-T9-0013; Project ID: 09-GPD-NAT-SC-HSG9

Commissioners Wingenter moved to approve the Grant Agreement. The motion was seconded and carried.

H. Ratification of TANF/CPI Contract Between Wyoming Department of Family Services & Natrona County Commissioners

County Attorney Bill Knight reported this is an extension operating agreement with Department of Family Services in the amount of \$79,605.00.

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

I. Resolution 54-09 Authorizing Granting Right-Of-Way Easement

County Attorney Bill Knight reported this granting the right of way easement is for Source Gas. This property was dedicated to the public, but power line was never run.

Commissioners Peryam moved to approve the Resolution 54-09. The motion was seconded and carried.

J. Resolution 55 -09 Acceptance of Viewer's Report and Authorization of Notice of Hearing

Commissioner Peryam moved to approve Resolution 55-09. Motion was seconded and carried.

Board Appointments

A. Central Wyoming Fair Board – Susan Thomas

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

B. Natrona County Parks Board – Brian Stack

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

Consent Agenda

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

Public Comment

Cody Sutherland, Casper, Wyoming, spoke of his sincere displeasure regarding the illegal Union Wireless tower near his home. This was not an accident on Union Wireless’s part, but a strategy. If the Commission allows this to continue other wireless communication companies will do the same.

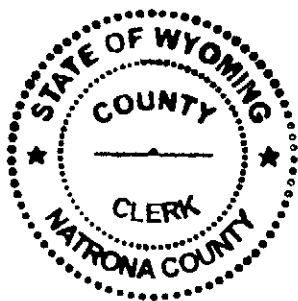
Scott Brownell, Casper, Wyoming, stated illegal tower takes away from the overall character of the area.

Commissioner Comments

Commissioner Wingerter reported the CNFR Magazine requested a representative from the Natrona County in New Orleans for the upcoming awards ceremony.

Adjournment

There being no further business to come before the Board of Commissioners, Chairman Hendry adjourned the public meeting at 9:50 p.m.



ATTEST:

NATRONA COUNTY CLERK

Renea Vitto
Renea Vitto

My term of office expires
January 6, 2011

BOARD OF NATRONA COUNTY COMMISSIONERS

Robert L. Hendry
Chairman