



**BOARD OF COUNTY COMMISSIONERS
MINUTES OF PROCEEDINGS
OCTOBER 4, 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,, Chief Deputy County Clerk Tracy Good, County Attorney Bill Knight, Heather Duncan Malone and Commissioners' Secretary Michelle Maines. Commissioner Matt Keating was absent.

Commissioner McDowell moved to approve the Minutes of Proceedings for September 27, 2011. The motion was seconded and carried.

Commissioner Wingerter moved to approve the payment of bills in the amount of \$308,721.36. The motion was seconded and carried.

Public Hearings:

A. Resolution 48-11 Transfer of Funds-Unanticipated Revenue-R&B/Parks Dept/Vehicle Service; Commissioners/County Attorney

Chief Deputy Good reported the following transfer is in the amount of \$8,736.68 to be taken from unanticipated revenue, and distributed to the following accounts: Road & Bridge/Parks Department Repair/Maint. & Contracts-\$2,000.00; Road & Bridge/Vehicle Service Auto Body Repair-\$1,882.18; Commissioners/County Attorney Risk Management-\$4,854.50

Chairman Opella opened the public hearing.

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

Commissioner Wingerter moved to approve the Transfer of Funds. The motion was seconded and carried.

B. CUP11-0007

Gene Wallace, Development reported this is a request by J &L Construction for a Conditional Use permit to allow installation of an approximately thirty nine foot Skystream 3.7 Wind Generator at 6500 Hat Six Road. On September 13, 2011 the Planning & Zoning

Commission recommended approval once the Development Department is furnished with copies of applicants' Interconnection Agreement and Net Metering Agreement with Rocky Mountain Power. Commissioner McDowell appreciated all the hard work that went into this process; Small Wind Energy System (SWES) will be located on 30.37 acre tract, lot 3 of Jensen Simple Subdivision; property lies in the Mountain Residential One (MR-1) zoning district. Philip Brown and Shannon Brown will be the deeded owners after completion of framed home on property; CUP will transfer with property.

Chairman Opella opened the public hearing.

Speaking in favor:

Philip Brown, Casper reported the extra electricity will help his family; in addition to the 30.37 acres located at 6500 Hat Six Road he also owns the 40 acres behind.

Gene Theriault, vendor of SWES and completed the site plan.

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

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

C. PS11-0002

Gene Wallace, Development reported this is a request by Amoco Reuse Agreement Joint Powers Board (Owner), represented by Refined Properties, LLC (Developer) for approval of a preliminary plat for Salt Creek Heights Business Center-Phase 1; property accessed from English Avenue and Salt Creek Parkway. On September 13, 2011 the Planning & Zoning Commission recommended approval of the preliminary plat once the applicant has fully complied with WYDEQ and the Development Department has been provided with a written Non-Adverse Recommendation; location consists of 91.3952 acres, bounded on the north and south by Light Industrial (LI), City of Casper municipal limits are adjacent on the east; areas of Heavy Industrial (HI) and Urban Mixed Residential (UMR) zoning adjacent on the west; the proposed subdivision is zoned as a Planned Unit Development (PUD) zoning district. The Major Subdivision will consist of 29 lots, ranging in size from 1.10 acres to 5.90 acres. To date staff has received no public comment.

Chairman Opella opened the public hearing.

Speaking in favor:

Richie Branton, Management Company representing ARAJPB was available for questions. The proposed building is 82,000 square feet; they hope to add two to three more phases.

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

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

D. Notice of Adopt NC Public Roadway Rules & Setting Public Hearing

Attorney Knight reported rules were published on August 14, 2011; these rules were discussed by the BOCC at previous public meetings; rules allow the BOCC the discretion to provide support for public road ways that are dedicated for public use, but not formally a county road, nor maintained by the county; support will be limited to minor site preparation and assistance and will only be administered to groups that form Improvement & Service Districts (I&SD); application process is included in the rules-starting with meeting with BOCC and R&B to make request; specifications and requirements will be based on the recommendations of the R&B superintendent; These rules may be repealed in the manner specified by law.

Chairman Opella encouraged property buyers to check with realtors about the maintenance of roads before purchasing.

Chairman Opella opened the public hearing.

Speaking in favor:

Don Wolcott, Casper very much in favor of this policy. He would like Vista West Homeowners Association to follow the same procedure; this may help with clarifying easements as well.

Barbara Chase, Evansville reported she is very much in favor. Following through with creation of an Improvement & Service District (I&SD) will help others, just like it has helped her area.

Speaking in opposition:

Tracy Mathias, Casper understood the reasoning, but in her situation as a renter she has no authority to fix a road. She would like to see a provision to the rules that allow renters and individuals who have no equity to hire a county approved contractor or purchase material to fix the road. She had to get assistance from landowner to fix Andrea Road.

Attorney Knight explained the petition process provided by legislative; for county assistance, the property owners have to create an Improvement & Service District.

Commissioner Hendry encouraged citizens to meet with the BOCC and R&B in special cases like hers.

Commissioner McDowell stated this policy is to assist those willing to help themselves, trying not to overburden county services while arranging for long term maintenance. This

policy represents the original objectives. Chairman Opella stated the policy will stand as is, but there is nothing stopping citizens from coming in and petitioning the BOCC.

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

Commissioner Wingerter moved for the adoption of rules. The motion was seconded and carried.

Commissioner Wingerter reported the BOCC has been trying their best to appease all the citizens and appreciated all the kind words.

Commissioner Hendry reported a large part of the problem is the lack of resources.

Contracts, Agreements, Resolutions:

A. Homeland Security Emergency Management Performance Grant (EMPG) for FY 2011 Political Subdivision: Natrona County; Award Amount: \$29,042.00; Match Amount: \$29,042.00; Opportunity Number: DHS-11-GPD-042-008-01; Award Period: October 1, 2011 to March 31, 2012; CFDA#: EMPG-97.042; Project ID: 11-GPD-NAT-EM-GCF11

Attorney Knight reported this grant has been approved as to form. This will be handled by Stew Anderson, Emergency Management.

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

B. Contract between WY DFS & NC BOCC-TANF Grant in the amount of \$90,000 for the period of October 1, 2011 through September 30, 2012

Attorney Knight reported this is a renewal TANF funding grant; no additional funding from the county is required. Contract has been approved as to form.

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

C. Approval of Employee Handbook (Resolution 49-11)

BOCC noted any issues/concerns that arise with outside boards or elected officials be brought forward to the BOCC. BOCC appreciated all the hard work that went into this process.

Commissioner McDowell moved for approval of the handbook and Resolution 49-11. The motion was seconded and carried.

D. Professional Services Contract between DFS and NC to Provide Services for Children Placed in JDC

Attorney Knight reported this contract replaces the contract formerly between DFS and Cornerstone. Terms of the contract have not changed other than the County will now handle the billing for DFS and Cornerstone, DFS will pay \$26,000 per month; DFS has agreed to reevaluate the contract once the NCRJDC has opened; approving this contract allows the county to receive payment for July and August FY2012. Contract has been approved as to form.

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

Commissioner Hendry reported this is a budget session. County should request reevaluation as soon the facility opens so DFS has time to turn in a supplemental budget.

Approval of the Consent Agenda

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

Public Comments:

Chairman Opella opened the floor to public comments.

Hearing no comments the floor was closed.

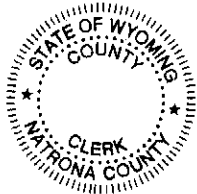
Commissioner Comments:

Chairman Opella opened the floor to Commissioner Comments.

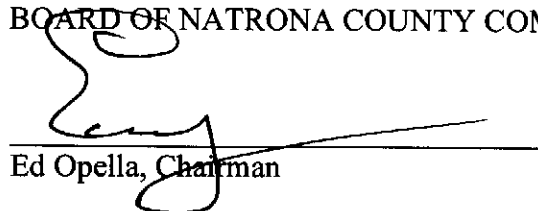
Hearing no comments the floor was closed.

Adjournment:

There being no further business to come before the Board of Commissioners, Chairman Opella adjourned the meeting at 6:45 p.m.



BOARD OF NATRONA COUNTY COMMISSIONERS


Ed Opella, Chairman

ATTEST:

NATRONA COUNTY CLERK

My term of office expires
January 5, 2015

Renea Vitto

Renea Vitto