



**BOARD OF COUNTY COMMISSIONERS
MINUTES OF PROCEEDINGS
August 7, 2012**

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

Commissioner Wingerter moved to approve the Minutes of Proceedings for July 3, 2012. The motion was seconded and carried.

Commissioner Wingerter moved to approve the payment of bills in the amount of \$948,572.78. The motion was seconded and carried.

Chairman Opella announced Rebecca Davis as the recipient of the 2012-2013 Commissioners' Renewal Scholarship.

Public Hearings:

A. CUP11-0015

Gene Wallace reported this is a request by D.E. Smith for a conditional use permit to allow storage of up to five collector cars in the Urban Agricultural (UA) zoning district, affecting a forty acre tract. The property is more generally located as 9407 Sandpiper Street. On July 11, 2012 the Planning & Zoning Commission recommended approval. To date there has been one comment of support so long as the collector cars are currently licensed and remain current.

Chairman Opella opened the public hearing.

Dave Smith, Casper spoke in favor.

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

Commissioner McDowell moved for approval of the findings of facts of CUP 11-0015; acknowledging all Requirements and Specific Findings of commissioners as indicated in the document; no more than five (5) vehicles; screening plan must be fully achieved within 180 days. The motion was seconded and carried.

B. CUP11-0016

Gene Wallace reported this is a request by George and Carla Tillman for a conditional use permit to allow storage of up to forty collector cars in the Rural Residential One (RR-1) zoning district, affecting a ten acre parcel located in Homa Hills Subdivision. The property is more generally located as 9075 Mohican Road. On July 11, 2012 the Planning & Zoning Commission recommended approval. To date there has been one comment of support received.

Chairman Opella opened the public hearing.

Chairman Opella reported that George Tillman currently sits on the Planning & Zoning Commission, but abstained from any discussions and votes.

George Tillman spoke in favor. He is planning a 100' x 100' x 8' fence with overlapping log slabs to ensure there will be no gaps. He currently has approximately 20 vehicles, but will never have more than 40 vehicles; figure based on what ever could fit in this space and nothing more. Screening will be complete within 180 days. He asked if the county would allow a dismantled school bus (with sealed windows) made to resemble a c-can to be used as permanent storage of personal belongings; container would be behind the fence on some type of foundation.

Commissioner Hendry feels a provision could be met for this need as long as the storage was behind the fencing.

Don McConigly, Casper spoke in favor.

Judy Jones, Casper spoke neither in favor or opposition. She spoke about a 5' fencing maximum in the Zoning Resolution; she stated George voted for his neighbor's permit, Don McConigly, which she finds that to be a conflict of interest because its neighbor backing neighbor. She found it odd that D. E. Smith was not at the first planning meeting requesting approval from the P & Z Commission; the P & Z Commission went ahead and passed the request even though applicant was not available for questions.

Attorney Malone reported George Tillman abstained from the vote on Don McConigly's application.

Gene Wallace, Development reported there is nothing in the Collector Car CUP that limits fencing to 5'.

Commissioner Hendry felt George Tillman acted appropriately in this matter.

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

Commissioner McDowell moved for approval of the findings of facts of CUP 11-0016; acknowledging all Requirements and Specific Findings of commissioners as indicated in the document; no more than forty (40) vehicles; fence height is sufficient to fully screen high profile vehicles; screening plan must be fully achieved within 180 days. The motion was seconded and carried.

Commissioner Hendry appreciates those who have come forward and applied for these permits. This is what the community wanted.

C. CUP11-0018

Gene Wallace reported this is a request by Don McConigly for a conditional use permit to allow storage of collector cars in the Rural Residential One (RR-1) zoning district, affecting a ten acre parcel located in Homa Hills Subdivision. The property is more generally located as 8685 Mohican Road. On July 11, 2012 the Planning & Zoning Commission recommended approval. To date there have been no comments received regarding this permit.

Chairman Opella asked if the Planning & Zoning Commission has planned for exceptions or extensions of time regarding fencing for winter applications.

Gene Wallace reported the Planning & Zoning Commission would give a reasonable amount of time. If the applicant is willing to work with the county, the county is willing to work with the applicant.

Chairman Opella opened the public hearing.

Don McConigly, Casper, spoke in favor. He plans to get started on the fencing shortly, but due to prior commitments he would like to be given a completion date of August –September 2013 to have fences built and vehicles moved.

Chairman Opella asked if the vehicles could be moved before fencing begins due to all the current tree screening. Commissioner Wingerter and Hendry agreed.

Carla Tillman, Casper spoke in favor.

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

Commissioner McDowell moved for approval of the findings of facts of CUP 11-0018; acknowledging all Requirements and Specific Findings of commissioners as indicated in the document; no more than twelve (12) vehicles; date certain of completion of screening plan as September 1, 2013. The motion was seconded and carried.

Contracts, Agreements, Resolutions:

A. Provider Agreement between the NC BOCC, NC Sheriff, Weston County BOCC and Weston County Sheriff-NCRJDC

B. Provider Agreement between the NC BOCC, NC Sheriff, Converse County BOCC and Converse County Sheriff-NCRJDC

C. Provider Agreement between the NC BOCC, NC Sheriff, Washakie County BOCC and Washakie County Sheriff-NCRJDC

D. Provider Agreement between the NC BOCC, NC Sheriff, Fremont County BOCC and Fremont County Sheriff-NCRJDC

E. Provider Agreement between the NC BOCC & NC Sheriff, and the Juvenile Justice JPB of Sheridan County-NCRJDC

Attorney Knight reported these agreements set the new rate to house Juveniles from Weston, Converse, Washakie, Fremont, and Sheridan County at the NCRJDC for \$195 per day; rate does not include the cost of medical care or transportation. Agreement has been prepared and approved as to form by the Natrona County Legal Department.

Commissioner McDowell moved to approve the Agreements with Weston County, Converse County, Washakie County, Fremont County and Sheridan County at the rate of \$195.00 per day excluding, medical care and transportation. The motion was seconded and approved.

NOT ON THE AGENDA:

Chairman Opella called for a vote to reconsider the Approved Conditional Use Permit of Anchor Environmental. Commissioner Votes as followed: Hendry-opposed, Wingerter-in favor, McDowell-in favor, Keating, although absent had previously emailed stating he did not wish to change his vote-in favor. End result motion of approval stayed the same. Motion was based on approval of the DEQ permitting process.

Gene Wallace Development reported the DEQ process has not begun. A CUP is reviewable; therefore if an odor occurs later action can be taken. Development has tracked down the owner of the abandoned trailers. There is no connection between the abandoned trailers and the Anchor Environmental Conditional Use Permit and Zone Change. The owner of the abandoned trailers is currently working in Indiana, but has been notified action needs to be taken.

Interim Mayor Herbort has been notified by NC Development of a possible mud plant interest in the vicinity of Mills; once staff report is prepared he will forward on.

Commissioner Hendry wants businesses to grow in Mills, but if it is this kind of business he definitely would like to have other jurisdictions notified of new applications.

Approval of the Consent Agenda

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

Public Comments:

Chairman Opella opened the floor to Public Comments.

Linda Bergeron, Casper, asked about the rate of reimbursement for the Detention Center at \$195.00 per day; what is our law concerning reparation when there is a crime committed, actually reparations being made for the offense to the actual property owner or to the individual involved in the crime, as opposed to having to get the money from the federal government.

Chairman Opella asked if she was asking about victim's compensation. Victim's compensation is taken care of by the judicial system. Individual judges decide restitution upon sentencing. The contracts approved earlier strictly apply to Juveniles from other counties who are being housed/boarded in the NCRJDC facility at the rate of \$195 per day.

Steve Weber, Casper, spoke of religious freedoms and burn issues. He reported he currently has up to two sweat lodges a week; has been doing the ceremonies for eighteen years; requested amendment to Resolution 34-12; asked about Agricultural and Industrial exceptions; using propane to heat the stones will complicate the process and is not an option. He fears missing these ceremonies will deter recovering addicts progress. Safety preparations have been made. The structure of a traditional ceremony cannot be compromised; being around the community has always been a struggle.

Also speaking in favor were Wesley Erickson, Casper; Virginia "Ginny" Trickett, Casper; Charles Lopez, Casper; Mary Budenske, Casper.

Chairman Opella reported the fire ban was for safety; religious issues were not considered during drafting of resolution. Mother Nature cannot be controlled, but we can try to prevent the destruction of fire. He spoke of the three fires within the last few weeks between Casper and Glenrock.

Commissioner Hendry explained the safety measures industrial facilities have to follow to continue working.

Commissioner McDowell suggested he work with Mike Haigler, Fire Warden to arrive at a resolution. Citizens of Natrona County need to be protected.

Attorney Knight reported this board has no authority to Amend Resolution 34-12 during this meeting. Statutory procedures need to be followed; no decision could be made before the next meeting; only the Fire Warden has the authority to proceed.

Hearing no further comments the floor was closed.

Commissioner Comments:

Chairman Opella opened the floor to Commissioner Comments.

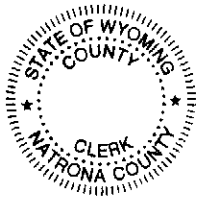
Commissioner Wingerter spoke of the passing of Neil McMurry and all he did for the community. Commission agreed he would be missed.

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 7:33 p.m.

BOARD OF NATRONA COUNTY COMMISSIONERS



ATTEST:

NATRONA COUNTY CLERK

Renea Vitto

Renea Vitto

**My term of office expires
January 5, 2015**

Chairman