



**BOARD OF COUNTY COMMISSIONERS  
MINUTES OF PROCEEDINGS  
TUESDAY, MARCH 2, 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, Terry Wingerter, Barb Peryam, County Clerk Renea Vitto, County Attorney Bill Knight, Deputy County Attorney Heather Duncan-Malone and Commissioners' Secretary Michelle Maines.

Commissioner Wingerter moved to approve the Minutes of Proceedings for February 16, 2010. The motion was seconded and carried.

Commissioner Wingerter moved to approve the payment of bills in the amount of \$1,110,390.75. The motion was seconded and carried.

**Public Hearings:**

**A. Resolution 09-10 Transfer of Funds Unanticipated Revenue- Commissioners/County Attorney, 1% Optional Sales Tax, Coroner**

County Clerk Renea Vitto, reported the following transfer is in the amount of \$996870.68 to be taken from unanticipated revenue, and distributed to the following accounts: Commissioners/County Attorney-Risk Management \$10,000.00; 1% Optional Sales Tax-Perpetual Care Fund \$982,500.00; Coroner-Field Supplies \$4,370.68.

The perpetual care fund line item was zeroed out due to the recommendation of the One Cent Committee (One Cent #13) additional funding for this project. Money needs to be set aside in separate account and only interest is to be spent. Account line must be expended first – hence the need for transfer. \$571,000 in interest will be placed into a special fund. This interest has been accrued over a number of years.

Commissioner Opella suggested the BOCC make some rules so the money be only used for what it was intended for. He suggested having a public hearing every time the money is proposed to be spent so the public understands.

County Clerk, Renea Vitto will find the exact guidelines and rules for finding this money.

Chairman Hendry declared the public hearing open.

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

Commissioner Wingerter made motion to approve Resolution 09-10, Transfer of Funds. The motion was seconded and carried.

**B. CUP10-0002 A request by Union Telephone Company (pursuant to lease dated December 1, 2005 between Bret H. & Cindy Van Rensselaer, lessor and Union Telephone, lessee) to consider an application for a Conditional Use Permit to allow operation of a now existing forty-seven (47) foot free-standing lattice tower, together with antennas, skid mounted equipment and generator buildings, surrounded by a planned six (6) foot perimeter security fence; located in the Ranching, Agricultural and Mining (RAM) Zoning District; location is addressed as 21755 West Highway 220**

Eugene Wallace, NC Planning & Development reported this parcel is across from Sunset grill, also referred to as Grey Reef Tower. The NC Planning & Zoning Commission acted unanimously to recommend approval from the BOCC to grant a variance from the setback requirement that provides that a telecommunications tower be located not less than one mile from any other zoning district boundary and that the conditional use permit request be approved. NC Planning & Development staff also recommends the approval of both the variance and conditional use permit; this is the first step toward bringing the applicant into compliance. The facility covered by this conditional use permit request is located on a 3,600 square foot site, approximately .083 acres. The applicant has provided structural drawings, plans and certification stating that in the event the tower collapses there would be not threat of health and safety to the adjacent properties, if setback variance is granted. Detrimental effects may arise from technological sources like radio frequency interference; the now existing tower will not require the use of county services and will not overburden; will not cause undue traffic, parking, population density or environmental problems; the tower is located on BLM land, therefore will not impair use of the adjacent properties or alter the characteristics of the rural area; improves emergency response capabilities and provides services to consumers such as enhanced 911 assistance. The applicant has provided a structural analysis from Valmont, which addresses structural loading of the tower. This analysis facilitates future co-location on the existing tower. To date, staff has received one letter from Bret H. Rensselaer in support. Staff has conducted numerous meetings with Union Wireless to move this process along properly.

Chairman Hendry declared the public hearing open.

Richard Fenster, Dam Site Storage, Casper, Wyoming spoke in favor. The tower has helped their business as well as a convenience to have cell service.

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

Commissioner Wingarter made motion to approve the Conditional Use Permit. The motion was seconded and carried.

County Attorney, Bill Knight reported the variance should be viewed as a condition of the Conditional Use Permit, instead of a separate variance.

Chairman Hendry and Commissioner Peryam both voiced concern that other cell provider companies are unable to get service off that tower.

County Attorney, Bill Knight reported due to the co-location requirement could be void if Union Wireless were to refuse another carriers request to be added on the tower.

**Contracts, Agreements, Resolutions:**

**A. Renewal Lease Agreement between the Lions Club and Natrona County**

County Attorney, Bill Knight reported this contract has been extended for the term of nineteen years. This contract has been in effect since the 1930's. County legal has approved the contract as to form.

Commissioner Wingerter made motion to approve the lease agreement. The motion was seconded and carried.

**B. Resolution 08-10 Authorizing Rocky Mountain Power Guy Anchor Easement**

County Attorney, Bill Knight reported this resolution authorizes the execution of an easement with Rocky Mountain Power to place a guy wire two miles off Cole Creek for the relocation of North Loop Transmission Line. The line will not cross county property, just the guy.

Commissioner Peryam made motion to approve Resolution 8-10. The motion was seconded and carried.

**C. Ratification of MOU between the Commissioners of Natrona County and the University of Wyoming**

County Attorney, Bill Knight reported this is a combination grant between University of Wyoming and Rocky Mountain Power to build one wind turbine, solar panels and generators at the Cooperative Extension building.

Commissioner Opella made motion to approve Memorandum of Understanding. The motion was seconded and carried.

**D. Resolution 10-10 Authorizing the Execution of FAA Airport 48 Grant**

County Attorney, Bill Knight reported this grant allows the rehabilitation of taxiway A Alpha at the NCIA.

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

**E. Resolution 11-10 Authorizing the Collection of Operations & Maintenance for Burd Road Improvement Service District**

Deputy County Attorney, Heather Duncan-Malone reported this is a resolution for the Burd Road Improvement Service District to access property owners to cover the yearly operational costs of \$2,450.00.

Commissioner Wingerter made motion to approve Resolution 11-10. The motion was seconded and carried.

**Consent Agenda**

County Clerk, Renea Vitto reported Antonio Jimenez is requesting approval of his Temporary malt Beverage Permits for the entire year. He is allowed to have twelve events in a year; he has scheduled nine. Laura Ryan did not get her letter to the Town of Mills in time to have her events approved at a council meeting. Mayor Dill left a voice message on Commissioner Keating's cell phone stating the events have been approved, but there would not be a meeting until after the first event.

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

**Public Comments**

Chairman Hendry opened the floor to Public Comments.

Hearing no comments the floor was closed.

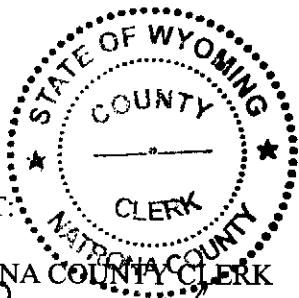
**Commissioner Comments**

Chairman Hendry 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 Hendry adjourned the meeting at 6:13 p.m.



ATTEST:

NATRONA COUNTY CLERK

Renea Vitto  
Renea Vitto

BOARD OF NATRONA COUNTY COMMISSIONERS

Robert L. Hendry  
Robert L. Hendry, Chairman

My term of office expires  
January 6, 2011