

**BOARD OF COUNTY COMMISSIONERS
MINUTES OF PROCEEDINGS**

March 5, 2019

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 Commissioner Paul Bertoglio, Commissioner Brook Kaufman, Commissioner Chadwick, County Attorney Eric Nelson, County Clerk Tracy Good and Commissioners' Assistant Michelle Maines. Commissioner Jim Milne was absent.

Consent Agenda:

Commissioner Chadwick moved for approval of the Consent Agenda Commissioner Kaufman abstained from the approval of the Contract for Professional Services Part I-Agreement (NCTTC/Contractor to increase ticket sales to the CNFR June 9-15, 2019). Commissioner Bertoglio seconded the motion. Motion carried.

CUP18-12

County Attorney Nelson reported that after the last P & Z Commission meeting legal and planning staff were able to take a deeper look at the application in light of what is contained in the MR2 Regulations. He opined that a Conditional Use Permit is not required for the intended use. The applicant's request constitutes the use of recreation vehicle seasonal use which is permitted in the MR-2 Zoning district. The applicant is not seeking approval of a commercial campground, as the request is for family use only. The MR-2 Zoning District regulations do require a CUP for a campground. He noted that the definition of "campground" restricted its application to those developed and permitted by the County. Further, after applying the rules of statutory construction to the Zoning Resolution and trying to ascertain the intent of the MR2 Regulations, he opined that the intent of the zoning regulation is to promote recreational use unless it is commercial. He stated that at worst there is inherent ambiguity or conflict within the Zoning Resolution between the permitted seasonal use of recreational vehicles and the need for a CUP to operate a campground. Applicable Wyoming case law requires any ambiguity or conflict in interpretation to be construed in favor of the landowner's free use of his private property. Give the foregoing legal analysis, his recommendation is to dismiss the application at this time, as the landowners did not need a CUP for the use described in the application.

Commissioner Chadwick moved to withdraw the Conditional Use Permit. Commissioner Bertoglio seconded the motion. Motion carried.

Jason Gutierrez, Development Director reported the Development Department clearly recognizes there are some ambiguity in the MR2 Zoning District Regulations. Development received many comments and asked the audience present pertaining to this matter to please contact him to ensure they are kept in the loop. Development will be reaching out to the MR-2 Zoning District addressing future concerns in meetings and Text Amendment.

Public Hearings:

**Notice of Application for Transfer of Ownership of a Full Retail Liquor License
RETAIL LIQUOR LICENSES:**

1. RICHARDSON & RICHARDSON, INC dba HILAND'S BRIGHT SPOT

Clerk Good reported the Richardson & Richardson, Inc dba Hiland's Bright Spot has been transferred to Hiland's Bright Spot to the Bright Spot dba Hiland's Bright Spot

Chairman Hendry opened the public hearing.

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

Commissioner Chadwick moved for approval of the Liquor License Transfer. Commissioner Kaufman seconded. Motion carried.

CUP17-2

Jason Gutierrez, Development Director reported this is a request by Mountain West Technologies represented by Tim Meads for a Conditional Use Permit to allow a 65' wireframe tower and cabinet to provide Broadband and Telephone services. This is located at 8313 Commerce Drive.

Chairman Hendry opened the public hearing.

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

Commissioner Bertoglio moved for approval of the Conditional Use Permit with lighting recommendation; incorporating staff's finding of facts. Commissioner Kaufman seconded the motion. Motion carried.

CUP18-10

Jason Gutierrez, Development Director reported this is a request by Mountain West Technologies represented by Tim Meads for a Conditional Use Permit to allow a 55' guyed tower and cabinet to provide Broadband and Telephone services. The address is 6702 Six Mile Road

Chairman Hendry opened the public hearing.

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

Commissioner Kaufman moved for approval of the Conditional Use Permit incorporating staff's finding of facts. Commissioner Berotglio seconded the motion. Motion carried.

CUP18-9

Jason Gutierrez, Development Director reported this is a request by Kelly Klepper, on behalf of Vertical Bridge Holdings, LLC to construct a 170' monopole communication tower to allow for co-location of multiple service providers. The address is 50247 W. US Highway 20-26.

Chairman Hendry opened the public hearing.

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

Commissioner Chadwick moved for approval of the Conditional Use Permit incorporating staff's finding of facts; receipt of signed letters from property owners. Commissioner Berotglio seconded the motion. Motion carried.

CUP18-13

Jason Gutierrez, Development Director reported this is a request by Mike and Pam Norberg for a Conditional Use Permit to allow chickens on their parcel. This is addressed as 4670 Skyline Road.

Chairman Hendry opened the public hearing.

Speaking in favor: Mike & Pam Norberg, applicant (Casper), Molly Beard (Casper), Carissa Ledwig (Casper)

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

Commissioner Chadwick moved for approval of the Conditional Use Permit incorporating staff's finding of facts; condition placed upon the request from the P&Z Commission of no roosters. Commissioner Bertoglio seconded the motion. Motion carried.

CUP18-14

Jason Gutierrez, Development Director reported this is a request by Chris and Molly Beard for a Conditional Use Permit to allow continued use as light agriculture (chickens and horses) on their parcel. This is addressed as 4350 Skyline Road.

Chairman Hendry opened the public hearing.

Speaking in favor: Chris & Molly Beard, applicant (Casper), Mike & Pam Norberg, (Casper), Carissa Ledwig (Casper)

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

Commissioner Bertoglio moved for approval of the Conditional Use Permit incorporating staff's finding of facts; condition placed upon the request from the P&Z Commission of no roosters. Commissioner Bertoglio amended his motion to include roosters that are used for 4-H purposes. Commissioner Kaufman seconded the motion. Motion carried.

Public Comments:

Chairman Hendry opened the floor to Public Comments.

Debbie Bean (Casper)

Hearing no further comments, the floor was closed.

Commissioner Comments:

Chairman Hendry opened the floor to Commissioner Comments.

Chairman Hendry recognized Dave North as the newest NC Parks member.

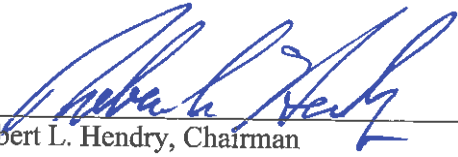
Hearing no further comments, the floor was closed.

Adjournment:

There being no further business to come before the Board of Commissioners, Chairman Hendry adjourned the meeting at 7:06 p.m.

BOARD OF NATRONA COUNTY COMMISSIONERS






Robert L. Hendry, Chairman

ATTEST:

NATRONA COUNTY CLERK



Tracy Good

**My term of office expires
January 3, 2023**