



**BOARD OF COUNTY COMMISSIONERS  
MINUTES OF PROCEEDINGS  
December 4, 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, Matt Keating (via phone), Deputy County Attorney Heather Duncan-Malone and County Clerk Renea Vitto.

Commissioner Hendry moved to approve the Minutes of Proceedings for November 20, 2012. The motion was seconded and carried.

Commissioner Wingerter moved to approve the payment of bills in the amount of \$1,197,137.92. The motion was seconded and carried.

**Public Hearings:**

**A. CUP12-0012**

Gene Wallace , Development reported this is a request by Michael Reed for a Conditional Use Permit to allow installation and operation of an approximately forty (40) foot (total height) Skystream 3.7 Wind Generator, located in the Mountain Residential One (MR-1) zoning district, in Section 6, Township 32 North, Range 79 West of the Sixth Principal Meridian, Natrona County, Wyoming. The location is addressed as 6363 Garden Creek Road. The P & Z Commission recommended approval on November 13, 2012.

Chairman Opella opened the public hearing.

Speaking in favor were Michael Reed, Casper (owner) and Gene Theriault, Casper (vendor).

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

Commissioner McDowell moved for approval of the Conditional Use Permit incorporating the Development Department's proposed motion, finding of facts and items 1, 2, and 3. The motion was seconded and carried.

**B. CUP12-0013**

Gene Wallace, Development reported this is a request by Paul Bettinger for a Conditional Use Permit to allow installation of an approximately forty (40) foot (total height) Skystream 3.7 Wind Generator, located in the Mountain Residential One (MR-1) zoning district, Tract 4 of the Pine Ridge Estates Subdivision in Section 33, Township 33 North, Range 79 West of the sixth Principal Meridian, Natrona County, Wyoming. The location is addressed as 6150 D'Elia Drive. The P & Z Commission recommended approval on November 13, 2012

Chairman Opella opened the public hearing.

Speaking in favor were Paul Bettinger, Casper (owner) and Gene Theriault, Casper (vendor).

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

Commissioner McDowell moved for approval of the Conditional Use Permit incorporating the Development Department's proposed motion, finding of facts and items 1, 2, and 3. The motion was seconded and carried.

#### **C. PS12-0015**

Gene Wallace, Development reported this is a request by Granite Peak Properties, LLC, for approval of the final plat for a Minor Subdivision, comprising 26.21 acres, located in a portion of the W/2 of the NE/4 and the NE/4 of the SW/4 of Section 4, Township 34 North, Range 80 West of the 6th Principal Meridian, Natrona County, Wyoming. The property location is accessed from Six Mile Road. The P & Z Commission recommended approval on November 13, 2012

Chairman Opella opened the public hearing.

Dan Guertman, Casper representing Granite Peak spoke in favor.

Susan Bishop, Casper representing Mary Bishop (adjacent property owner). Her position was neutral with regards to the proposed subdivision, but she was concerned about adequate fencing and her livestock that are located near the area.

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

Commissioner McDowell moved for approval of the Conditional Use Permit incorporating the Development Department's proposed motion, finding of facts and items 1, 2, 3 and 4. The motion was seconded and carried.

#### **D. TA12-0003**

Gene Wallace, Development reported this is a request by Natrona County Development Department staff to consider a text amendment to amend the text of the Zoning

Resolution of Natrona County, Wyoming, Chapter VII, Section 19 to incorporate previously approved and adopted Storm Water Management Program beginning at page 148. Renumber the remaining pages and sections of Chapter VII accordingly. The P & Z Commission recommended approval on November 13, 2012

Chairman Opella opened the public hearing.

There were no comments in favor.

Speaking in opposition were Troy Bray, Casper and Linda Bergeron, Casper.

Hearing no further comments Chairman Opella closed the public hearing.

Commissioner Wingerter moved for approval of the Text Amendment incorporating the Development Department's proposed motion and finding of facts. The motion was seconded and carried.

#### **E. TA12-0005**

Gene Wallace, Development reported this is a request by Natrona County Development Department staff to consider a text amendment to amend the text of the Zoning Resolution of Natrona County, Wyoming, Chapter VII, Section 15 to modify the regulations relating to mandatory Wireless Telecommunications Facility recertification, specifically regarding establishment of a \$500.00 recertification fee, payable by each Wireless Telecommunication Facility owner within twelve (12) and six (6) months prior to each successive five (5) year anniversary of the effective date of the original Conditional Use Permit for each Wireless Telecommunications Facility. The P & Z Commission recommended approval on November 13, 2012

Chairman Opella opened the public hearing.

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

Commissioner Wingerter moved for approval of the Text Amendment incorporating the Development Department's proposed motion and finding of facts. The motion was seconded and carried.

Commissioner Hendry suggested including this on the MET towers.

Gene Wallace reported he will take this suggestion back to the P&Z Commission.

#### **F. VC12-0003**

Gene Wallace, Development reported this is a request by Oscar F. Rieger for a boundary line adjustment variance to allow a lot less than five (5) acres in the Mountain Residential Two (MR-2) zoning district. The property is located on Tract 64 in the E/2 of the N/2 of the NE/4 of the SE/4 of the SW/4 of Section 22, Township 32 North, Range 79 West of the 6th

Principal Meridian, Natrona County, Wyoming. The property is accessed from Iditarod Road. The P & Z Commission recommended denial on November 13, 2012

Chairman Opella opened the public hearing.

Attorney Drew Perkins, Casper representing Oscar Rieger, presented his findings of facts.

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

Commissioner Wingerter moved for approval of the Variance Change with the condition of legal access to both parcels. The motion was seconded by Commissioner Keating. Commissioner McDowell and Chairman Opella opposed the motion based on the precedence of the hardship is with the owner in this case, not with the land. The motion carried with support from Commissioner Hendry.

Commissioner McDowell thanked Attorney Perkins and recommended County Legal and Attorney Perkins work together on findings of facts to be approved at a later date. Attorney Malone asked for direction from BOCC on this issue.

**Contracts, Agreements, Resolutions:**

**A. Resolution 62-12 Naming Bucknum Circle**

Commissioner McDowell moved for approval of the Resolution. The motion was seconded and carried.

**B. Homeland Security Grant – Political Subdivision: NC; Award Amount: \$2,505.00; Award Period: September 1, 2012 through May 31, 2014; CFDA #: 97.067; DHS Grant Code: EMW-2012-SS-00151-S01; Project ID: 12-GPD-NAT-LC-HSG12 (Coroner)**

Commissioner McDowell moved for approval of the Homeland Security Grant. Commissioner Keating was opposed. The motion was seconded and carried.

Commissioner McDowell reported the BOCC fully agrees with Linda Bergeron's previously emailed concerns in regards to the \$16 Trillion deficit, but feels this is an appropriate grant for the Coroner.

**Approval of Consent Agenda:**

Commissioner Hendry moved for approval of the Consent Agenda. The motion was seconded and carried.

**Public Comments:**

Chairman Opella opened the floor to Public Comments.

Linda Bergeron spoke in opposition of the Homeland Security Grant and asked when the proposed changes to subdivision regulations will be presented to the BOCC.

Chairman Opella has presented Linda Bergeron's concerns via email to Gene Wallace. She is welcome to attend the work session and public hearings. All meetings are open to the public. The Chairman can take comments from the public.

Gene Wallace reported the P & Z Commission will hold a public hearing for this matter in January 2013; therefore the final hearing will be scheduled for February 2013.

Hearing no further comments the floor was closed.

**Commissioner Comments:**

Chairman Opella opened the floor to Commissioner Comments.

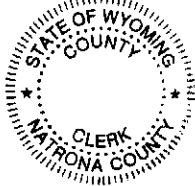
Commissioner Wingerter commented on the tragic events last week at Casper College.

Commissioner McDowell commended Emergency Management and all of Casper for their tactical response and dedication in this event.

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 8:10 p.m.



My term of office expires  
January 5, 2015

Attest:

Natrona County Clerk

  
Renea Vitto

Board of Natrona County Commissioners

  
Chairman