



**BOARD OF COUNTY COMMISSIONERS
MINUTES OF PROCEEDINGS
February 5, 2013**

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

Commissioner Chadwick moved for approval of the Minutes of Proceedings for January 22, 2013. The motion was seconded and carried.

Commissioner Chadwick moved for approval of payment of bills in the amount of \$1,026,641.98. The motion was seconded and carried.

Public Hearings

A. CUP12-0011

Gene Wallace, Development, reported this is a request by M-I SWACO, a Schlumberger Company and O'Quinn Enterprises for a Conditional Use Permit to allow storage of flammable and combustible liquids in excess of 12,000 gallons, being an oil-based liquid mud plant, in the Light Industrial (LI) zoning district. The property is located on an approximately 3-acre parcel being Lot 14 of O'Quinn Subdivision, in a portion of the NW/4 of the NW/4 of the NW/4 of Section 2, Township 33 North, Range 80 West of the 6th Principal Meridian, Natrona County, Wyoming. The property is addressed as 6231 West Zero Road. On December 11, 2012 the Planning & Zoning Commission recommended approval.

Chairman McDowell opened the public hearing.

Speaking in favor: Ammon Foster, representing M-I Swaco Company.

Speaking in opposition: Stan Shaw (Casper), Judi Jones (Casper)

Hearing no further comments, Chairman McDowell closed the public hearing.

Commissioner Wingerter moved for approval of the Conditional Use Permit incorporating the Development Department's proposed motion, finding of facts and board recommendations. The motion was seconded and carried.

B. CUP12-0016

Gene Wallace, Development, reported this is a request by National Oilwell Varco and USA Trucking LLC., for a Conditional Use Permit to allow storage of flammable and combustible liquids in excess of 12,000 gallons, being an oil-based liquid mud plant, in the Light Industrial (LI) zoning district. The property is located in portions of the N/2 of the SE/4 of the NE/4 of Section 11, Township 33 North, Range 80 West of the 6th Principal Meridian, Natrona County, Wyoming. The property is addressed as 5370 Poison Spider Road. On December 11, 2012 the Planning & Zoning Commission recommended approval.

Chairman McDowell opened the public hearing.

Speaking in favor: Diane Legerski, representing USA Trucking, Chris Montana, representing NOV.

Speaking in opposition: Stan Shaw (Casper),

Hearing no further comments, Chairman McDowell closed the public hearing.

Commissioner Hendry moved for approval of the Conditional Use Permit incorporating the Development Department's proposed motion, finding of facts and board recommendation. The motion was seconded and carried.

C. PS12-0016

Gene Wallace, Development, reported this is a request by Texaco Downstream Properties, Inc., represented by Trihydro Corporation for approval of preliminary plat for Texaco Star Business Park, a Minor Subdivision. The proposed Texaco Star Business Park tract, comprising 456.965 acres, is located in a portion of the E/2 of the NE/4 of Section 1, Township 33 North, Range 79 West of the 6th Principal Meridian, Natrona County, Wyoming; the NW/4, the W/2 of the NW/4 of the NE/4, and the W/2 of the SW/4 of the NE/4 of Section 6, Township 33 North, Range 79 West of the 6th Principal Meridian, Natrona County, Wyoming; the SW/4 and the W/2 of the SE/4 of Section 31, Township 33 North, Range 79 West of the 6th Principal Meridian, Natrona County, Wyoming. On December 11, 2012 the Planning & Zoning Commission recommended approval.

Chairman McDowell opened the public hearing.

Speaking in favor: Shawn Harshman, representing Trihydro

Speaking in opposition: Stan Shaw (Casper), Troy Bray (Casper)

Hearing no further comments, Chairman McDowell closed the public hearing.

Commissioner Hendry moved for approval of the Platted Subdivision incorporating the Development Department's proposed motion, finding of facts and board recommendation. The motion was seconded and carried.

D. ZC12-0004

Gene Wallace, Development, reported this is a request by Joseph Card for a Zone Map amendment from the existing Urban Agricultural (UA) zoning to Light Industrial (LI) zoning,

affecting a 33.966-acre tract located in a portion of the SE/4 of the NE/4 of Section 29, Township 34 North, Range 79 West of the 6th Principal Meridian, Natrona County, Wyoming. The property is presently not addressed; access to the tract is from North Poplar Street. Planning & Zoning Commission recommended approval.

Chairman McDowell opened the public hearing.

Speaking in favor: Dave Richards, representing Full Speed Service.

Speaking in opposition: none

Hearing no further comments, Chairman McDowell closed the public hearing.

Commissioner Chadwick moved for approval of the Zone Change incorporating the Development Department's proposed motion, finding of facts and board recommendation. The motion was seconded and carried.

E. ZC12-0003

Gene Wallace, Development reported this is a request by Kay Page for a Zoning Map Amendment (zone change) from Ranching, Agricultural and Mining (RAM) zoning to Urban Agricultural (UA) zoning. The land affected by the proposed zone map amendment is a 43.653-acre tract, located in a portion of the N/2 of the NE/4 of Section 20, Township 33 North, Range 81 West of the 6th Principal Meridian, Natrona County, Wyoming. The tract presently lies in the Ranching, Agricultural and Mining (RAM) zoning district pending consideration and approval of this request for a zone change to the Urban Agricultural (UA) zoning district. Adjacent zoning to the north, south and west is Ranching, Agricultural and Mining (RAM). Adjacent zoning to the east is Urban Agricultural (UA). The property is addressed as 2942 Phillips Lane. On December 11, 2012, the Planning & Zoning Commission recommended denial.

Chairman McDowell opened the public hearing.

Speaking in favor: Jerry Cook (Casper), Kay Page (Casper), Sherry Cook (Casper), John Bentley(Casper)

Speaking in opposition: Rick Wiemer (Casper), Harold Reighmler (Casper), Andy Jozwik (Casper), Harv Glow (Casper), Sid Gafari (Casper), Maureen & Dennis Coutier (Casper, Curtis Lee (Casper), Linda Bergeron (Casper),

Hearing no further comments, Chairman McDowell closed the public hearing.

Commissioner Wingerter moved for denial of the Zone Change incorporating the Development Department's proposed motion, finding of facts and board recommendation. The motion was seconded and carried.

F. ZC12-0005

Gene Wallace, Development reported this is a request by Colleen Morrison, represented by Peter Nicolaysen for a Zone Map amendment from the Ranching, Agricultural and Mining (RAM) zoning to Suburban Residential Two (SR-2) zoning. The property affected by the

proposed zone change is an approximately eleven (11.39) acre parcel located in a part of the SE/4 of the SE/4 of Section 3, Township 32 North, Range 81 West of the 6th Principal Meridian, Natrona County, Wyoming. The property is addressed as 12429 Bessemer Bend Road. On January 15, 2013 the Planning & Zoning Commission recommended denial.

Chairman McDowell opened the public hearing.

Speaking in favor: Peter Nicolaysen, attorney representing Colleen Morrison.

Speaking in opposition: none

Hearing no further comments, Chairman McDowell closed the public hearing.

Commissioner Wingerter moved for approval of the Zone Change. The motion was seconded and carried.

Contracts, Agreement, Resolutions

A. Maintenance Service Agreement-Courthouse Building

Attorney Malone reported the property manager terminated the previous contractor and hired CC Cleaning with the contract term ending June 30, 2013.

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

B. Resolution 01-13 Authorizing Submission of a Federal Royalty Capital Construction Account Grant Application to SLIB: Design & Construction of Secondary Access Road to Alcova Reservoir

Attorney Knight reported this is the resubmission of the Grant Application for Lake Ridge Estates.

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

C. Resolution 02-13 Naming Dales Way

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

D. Short-term Extension of Optimum Franchise on NC- An Amendment to the Right-of-Way Agreement (Franchise Agreement), between NC, WY & Bresnan Communication, LLC, Authorizing Bresnan Communication, LLC to Utilize the County & Public Rights-of-Ways to Construct, Operate & Maintain a Cable system (agreement set to expire on October 21, 2015)

Commissioner Hendry moved to table item indefinitely or until County Attorney brings item back to the table. The motion was seconded and carried.

E. Adecco Direct Placement Agreement-HR Director

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

F. Resolution 03-13 Authorizing Release of seven Mortgage Deeds-Housing Rehabilitation Program : Instrument # 771915-\$4,526.00; # 768062-\$4,269.00; # 803988-\$2,891.00; # 0704859-\$17,520.00; # 768425-\$1,791.00; # 0714365-\$16,970.00; # 787124-\$5,672.00

Attorney Malone reported these are a cooperative effort from the City of Casper and NC for rehabilitation loans; no fees were paid by the County.

Commissioner Chadwick moved to approve resolution 03-12 and the release of the Mortgage Deeds. The motion was seconded and approved.

G. Resolution 04-13 Approving Increasing Assessments for the Aspens Improvement & Service District

Attorney Drell was available for any questions. The increased assessment will speed up the project to widen access/right of way for Emergency Service Units.

VIII. BOCC BOARD APPOINTMENTS

- A. **WCCA BOD: Rob Hendry**
- B. **Vista West/West Gate JPB: Rob Hendry**
- C. **Fire Control Board/Fire Fighters of NC: Rob Hendry**
- D. **Hall of Justice JPB: Rob Hendry & Terry Wingerter**
- E. **Detention Center JPB: Rob Hendry & Terry Wingerter**
- F. **ARAJPB: Ed Opella**
- G. **Regional Water System JPB: Bill McDowell**
- H. **CAEDA: Bill McDowell**
- I. **MHBOT: Bill McDowell**
- J. **Central WY Fairgrounds: Forrest Chadwick**
- K. **EDJPB: Forrest Chadwick & Terry Wingerter**
- L. **NC School Recreation Board: Matt Keating**
- M. **Juvenile Planning JPB: Matt Keating**
- N. **CNFR: Terry Wingerter**
- O. **NCIA BOT: Forrest Chadwick**
- P. **Health Board: Forrest Chadwick**

Commissioner Hendry moved to approve the BOCC Board Appointments items A-P. The motion was seconded and carried

Approval of the Consent Agenda

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

Public Comments:

Chairman McDowell opened the floor to Public Comments.

Troy Bray and Linda Bergeron spoke of their disapproval, disappointment and concerns of Ed Opella being appointed to a county board.

Hearing no further comments, the floor was closed.

Commissioner Comments:

Chairman McDowell opened the floor to Commissioner Comments.

Chairman McDowell, Commissioner Keating, Commissioner Chadwick, and Commissioner Hendry took great exception to the previous comments. Mr. Opella is a valuable member of the ARAJPB and the community.

Commissioner Wingerter hoped the citizens of the county and county government could settle their issues without going to court.

Commissioner Hendry and Commissioner Keating spoke of past U.S. Presidents who were defeated in prior elections, but won in later years.

Hearing no comments, the floor was closed.

Adjournment:

There being no further business to come before the Board of Commissioners, Chairman McDowell adjourned the meeting at 9:25 p.m.



BOARD OF NATRONA COUNTY COMMISSIONERS

Bill McDowell

Chairman

ATTEST:

NATRONA COUNTY CLERK

Renea Vitto

Renea Vitto

term of office expires
January 5, 2015