

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS AT THE COURTHOUSE IN  
SUNDANCE, CROOK COUNTY, WYOMING**

**MONDAY, JULY 27, 2009**

2:30 o'clock p.m. Present were Chairman John A. Moline, Jr., Vice-Chairman James W. Hadley, Member Kelly B. Dennis and County Clerk Connie D. Tschetter.

The Pledge of Allegiance was recited to the flag.

The Board met in special session to discuss a temporary road closure for Farrall County Road No. 144, enacting a fire ban and a re-nomination for the Black Hills National Forest Advisory Board.

Jim Pridgeon, Homeland Security County Coordinator, Gari Gill, Deputy Homeland Security County Coordinator/Deputy County Fire Warden, Theresa Curren, Secretary, Public Works Department and Joe Baron, County Attorney were present to discuss enacting a countywide fire ban. Kelly moved to approve the following resolution:

**RESOLUTION NO. 11-2009  
OPEN BURNING RESTRICTION**

**WHEREAS**, a potentially severe to extreme fire situation exists throughout Crook County, created by a heavy fuel load and dry summer conditions, could create situations that over-extend the fire fighting capability of local government; and, **WHEREAS**, Wyoming Statute 35-9-301 through 304 provides that upon the recommendation of the County Fire Warden the Board of Crook County Commissioners may close the area to any form of use by the public or limit such use which shall include the prohibition of any type of open fire for such periods of time as the Board may deem necessary and proper; and

**WHEREAS**, the County Fire Warden Dan Blakeman has recommended that open burning restrictions be imposed throughout the county; and

**WHEREAS** Wyoming Statutes 35-10-201 through 208 allow for the regulation of fireworks; and

**WHEREAS**, any violation of this resolution may be in violation of W.S. 35-9-304 punishable by up to 30 days in jail and up to a \$100.00 fine or both together with restitution for the cost of fire suppression and damages to others caused by the violation of this resolution;

**WHEREAS**, this open burning restriction and ban on the use of fireworks shall begin on July 29, 2009 and end on October 15, 2009 unless ended sooner by the Board of County Commissioners.

**NOW THEREFORE, BE IT RESOLVED THAT THE CROOK COUNTY COMMISSIONERS HEREBY RESOLVES** as follows:

1. **That the discharge of fireworks and all outdoor fires are prohibited** in the unincorporated area of Crook County **beginning on July 29, 2009 and ending on October 15, 2009** unless ended sooner by the Board of County Commissioners;

2. That the following rules shall govern the unincorporated areas of Crook County:

- (i) Trash or refuse fires, camp fires, and charcoal fires are prohibited;
- (ii) Petroleum fueled stoves, lanterns, or heating devices may be used, provided such devices meet the fire underwriters' specifications for safety;
- (iii) Smoking is prohibited except within enclosed vehicles or buildings, developed recreation sites, or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable materials. Cigarettes, cigars, and pipe tobacco must be extinguished and disposed of properly and is prohibited from being thrown out from vehicles;
- (iv) Use of acetylene cutting torches or electric arc welders in cleared areas ten feet in radius are permitted provided that a shovel and a pressurized fire extinguisher is present at job site;
- (v) Propane or open fire branding activities in cleared areas ten (10) feet in radius are permitted provided that a shovel and pressurized fire extinguisher is present at site;
- (vi) Internal or external combustion engines including chainsaws, ATV's and motorcycles must have approved spark arrestors;
- (vii) A shovel and pressurized fire extinguisher must be present during use of a chainsaw; and
- (viii) Discharge of fireworks is prohibited except as authorized by a permit granted by the Board of County Commissioners for public display ;

3. The ban does not include the listed exceptions set forth in Wyoming Statute 35-10-204 nor the areas within the incorporated city and towns within Crook County that may be more restrictive.

4. The County Fire Warden shall immediately provided a copy of this Resolution to the State Land Commissioners, Bureau of Land Management, National Park Service and State Forester and other state and federal agencies.

5. The County Fire Warden shall immediately post the fire ban signs throughout the county.

**MADE, DETERMINED AND RESOLVED** this 27<sup>th</sup> day of July, 2009.

**BOARD OF COUNTY COMMISSIONERS CROOK COUNTY, WYOMING**

John A. Moline, Jr., Chairman, J.W. Hadley, Vice-Chairman, Kelly B. Dennis, Member. Signed or attested before Connie D. Tschetter, Crook County Clerk, on July 27, 2009 by John A. Moline, Jr., Chairman, J. W. Hadley, Vice-Chairman and Kelly B. Dennis, Member, Board of Crook County Commissioners.

Jim seconded, all ayes, motion carried.

Jim Pridgeon, Homeland Security County Coordinator, Gari Gill, Deputy Homeland Security County Coordinator, Dan Blakeman, Public Works Director, Theresa Curren, Secretary, Public Works Department, Joe Baron, County Attorney and Steve Kozel, Bearlodge District Ranger, USDA Forest Service were present to discuss a temporary road closure for Farrall County Road No. 144. Jim moved to approve the following resolution:

**RESOLUTION NO. 12-2009  
TEMPORARILY CLOSING A PORTION OF COUNTY ROAD NO. 144  
KNOWN AS THE FARRALL COUNTY ROAD**

Whereas the United States Forest Service would like to salvage the harvestable timber that was damaged by the tornado that occurred in the Bear Lodge National Forest as quickly as possible; and

Whereas the local timber industry along with the Forest Service have asked that the County Commissioners temporarily close Farrall County Road No. 144 so that they can remove the timber safely due to the high volume of traffic including log trucks which are salvaging the damaged timber; and

Whereas the closure would be temporary and end on or before 7:00 A.M. August 28, 2009; and

Whereas the Forest Service has agreed to assist the County in posting signs and letting the public know of the closure; and

Whereas the Board of County Commissioners has the authority to control, manage and restrict the use of county roads pursuant to Wyoming Statutes 24-1-104, and 24-1-106 through 24-1-109 for the protection of the public; and

Whereas a violation of the temporary closure shall be subject to a fine of not more than seven hundred fifty dollars (\$750.00) or to imprisonment for a period not to exceed thirty (30) days, or both pursuant to Wyoming Statutes 24-1-109; and

Whereas the Forest Service personnel will provide a list of authorized persons who may travel the road including but not limited to grazing permittees, local land owners along the road, contractors and loggers and involved in the salvage operations on Forest Service and private lands that were damaged; and

Whereas the portion of the Farrall County Road No. 144 to be temporarily closed will be from Wyoming Highway 111 to the intersection with with Forest Service Road No. 830; and

Whereas the Board of County Commissioners feel that it is in the best interest of the citizens of Crook County, WY to temporarily close the road in the interest of public safety and to allow the clean up and salvage of the timber as soon as possible while it is still in a marketable condition.

THEREFORE BE IT RESOLVED by the Board of County Commissioners in and for Crook County, WY that:

1. The portion of the Farrall County Road No. 144 from Wyoming Highway 111 to the intersection with Forest Service Road No. 830 shall be temporarily closed until 7:00 A.M. August 28, 2009;
2. The only persons authorized to use said portion of the road shall be those persons authorized by Forest Service personnel including but not limited to grazing permittees, local land owners along the road, contractors and loggers involved in the salvage operations on Forest Service and private lands that were damaged.

DATED this 27<sup>th</sup> day of July, 2009.

**BOARD OF COUNTY COMMISSIONERS IN AND FOR CROOK COUNTY, WYOMING**

John A. Moline, Jr., Chairman, J.W. Hadley, Vice-Chairman, Kelly B. Dennis, Member. Signed or attested before Connie D. Tschetter, Crook County Clerk, on July 27, 2009 by John A. Moline, Jr., Chairman, J. W. Hadley, Vice-Chairman and Kelly B. Dennis, Member, in their capacity as County Commissioners in and for Crook County, WY. Kelly seconded, all ayes, motion carried.

Kelly moved to re-nominate Hugh Thompson for the Black Hills National Forest Advisory Board. Jim seconded, all ayes, motion carried.

Kelly moved to approve to have the Newcastle Conservation Camp assist with the clean up on the tornado damage in Crook County. Jim seconded, all ayes, motion carried. Also present were Jim Pridgeon, Homeland Security County Coordinator, Gari Gill, Deputy Homeland Security County Coordinator, Dan Blakeman, Public Works Director and Steve Kozel, Bearlodge District Ranger, USDA Forest Service.

The meeting adjourned at 3:37 o'clock p.m. to meet in regular session on August 3 and 4, 2009 at 8:00 o'clock a.m., in the Commissioner's Room at the Courthouse in Sundance, Wyoming.

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John A. Moline, Jr., Chairman

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James W. Hadley, Vice-Chairman

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Kelly B. Dennis, Member

Attested: \_\_\_\_\_  
Connie D. Tschetter, County Clerk