

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

TUESDAY, DECEMBER 1, 2009

8:00 o'clock a.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 minutes from the previous meetings were approved.

Jim moved to transfer \$91,864.00 from unanticipated revenues to the Federal Grants Budget, to the following lines: \$1,041.00 to BLM Rural Fire Assistant Grant; \$9,594.00 to ARRA-VAWA Grant; \$3,531.00 to Victim Witness Coord. Grant FY 2010 and \$77,698.00 to H1N1 Phase III Grant and to transfer \$179,200.35 from unanticipated revenues to the Haul Road Restoration Budget, Little Missouri River Co. Rd. #200 Line, as stated in the minutes of November 3, 2009. Kelly seconded, all ayes, motion carried.

Kelly moved to approve the following holidays for 2010:

January 1	New Year's Day
January 18	Martin Luther King Day
February 15	Presidents Day
May 31	Memorial Day
July 5	Independence Day (4 th is on a Sunday)
September 6	Labor Day
October 11	Columbus Day
November 11	Veterans Day
November 25	Thanksgiving Day
November 26	Day after Thanksgiving Day
December 24	Christmas Day (25 th is on a Saturday)
December 31	New Year's Day (1 st is on a Saturday)

Jim seconded, all ayes, motion carried.

Clerk of District Court Tina Wood, County Treasurer Mary Kuhl, County Sheriff Steve Stahla, County Assessor Dee Griffis and County Attorney Joe Baron were present to go over items of interest within their departments.

Jim moved to go into executive session at 9:14 o'clock a.m. to discuss potential litigation. Kelly seconded, all ayes, motion carried.

The Board went back into regular session at 9:37 o'clock a.m.

The following bills were paid:

Total Wages		176130.58
<u>CLAIMANT</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
		<u>ALLOWE</u>
		<u>D</u>
AFLAC	Insurance	2502.46
Blue Cross Blue Shield of Wyoming	Health Insurance	44950.33
Col. Life & Accident Ins. Co.	Insurance	48.07
Crook County Payroll Tax Account	Withholding & Social Security	53736.15
Department of Employment	Worker's Compensation	2305.09
New York Life Insurance Company	Life Insurance	453.24
Orchard Trust Company	Deferred Compensation	3030.00
VSP	Vision Insurance	404.54
Wyoming Retirement System	Retirement	26932.44
Wyoming Educator's Benefit Trust	Life Insurance	209.56
Wyoming NCPERS Life Insurance	Life Insurance	128.00
RG Trucking	Contract Hauling	4120.00
A & B Welding Supply Co., Inc.	Parts	33.07
A.D.I. Insurance Agency	Premium for Adding Vehicles	140.00
AAA Solution, Inc.	Infrared Heather & Cord with Thermostat	2200.00
Aiphone	Intercom Repair	44.90
Alltel	Cell Phone	1193.58
AlSCO/American Linen	Shop Towels, Dust Mops & Coveralls	155.85
Architectural Specialties, LLC	Fire Doors	7838.00
Arlene Hope Pixley	Travel Expense Reimbursement	9.00
Armortex, Inc.	Bullet Resistant Window & Laminate Counter	5700.00
Aro Restaurant	Meals	375.73
Barbara J. Coy, RN	On Call Hours, Meals, Postage & Mileage	492.41
Bearlodge LTD., Inc.	Bertha Road Surveying Services	4219.00
Betts Seeley	Bailiff Fees	60.00
Big Horn Tire Inc.	Parts	439.98
Black Hills Chemical Co.	Supplies	289.96
Blakeman Propane Inc.	Propane	212.85

Bob Barker Company	Shampoo	80.99
Cenex Fleetcard	Fuel	1803.84
Christina R. Wood	Mileage	365.20
City of Sundance	County Funding-Ambulance & Landfill	1666.69
CNA Surety	Bond Renewals	100.00
Coffee Cup Fuel Stop	Fuel	2312.19
Collins Communications	Parts, Labor, Antenna & Power Supplies	7031.28
Computer Software Associates, Inc.	Vehicle Registration Upgrade	7359.12
Conocophillips	Fuel	161.51
Contractors Supply Inc.	Supplies	62.15
Cornwell Tools	Tools	28.08
Crook County	Employer Paid Benefits from Grant	997.04
Crook County Medical Services Dist.	Prisoner Meals, Food and Jail Duty	3195.84
Crook County Senior Services	County Funding	1250.00
Crook County Treasurer	Postage	26.42
Custom Auto & Truck	Parts & Labor	375.22
D.O. Inc.	Oil & Drum Charge	1328.52
Dakota Business Center	Supplies & Maintenance Charges	106.60
Dakota Rental	Wacker & Diesel Fuel	177.58
Darla West	Mileage & Viewer and Appraiser Fees	201.70
Decker's Food Center	Supplies	67.84
Department of Employment	Worker's Compensation-Fireman	121.26
Department of Employment	Worker's Compensation	8.37
Department of Health	Rental for State Vehicle	287.00
Double Star Computing	Onsite Computer Services & Backups	6389.44
Douglas M. Lesley	Court Appointed Attorney Fees	866.40
Emergency Response Training Center	Hazardous Materials Class	5300.00
Energy Electric Co.	Parts	27.40
Fastenal Company	Tools	151.36
Galls, An Aramark Company	Uniforms	169.72
Gillette Printing Company, Inc.	Child Support Checks	392.28
Glaxosmithkline	Hep A & B Vials	446.50
Hersrud's of Belle Fourche, Inc.	Gasket	26.20
Higbees Café	Meals	18.35
Hills Products Group	Ponderosa Pine	573.30
Hillside Pharmacy	Supplies	81.42
Hulett Emergency Medical Services	Ambulance Funding	666.69
Hulett Hardware	Parts	56.47
Integrity Ford	Extra Key	161.19
James W. Hadley	Mileage	82.50
Jeanne Whalen	Mileage	69.15
John A. Moline, Jr.	Mileage	181.50
John William Whalen, Jr.	Mileage & Viewer and Appraiser Fees	122.00
Karen's Delivery Co.	Delivery Charges	44.00
Kelly Dennis	Mileage	270.60
Kristi Ferderer	Mileage	28.60
Laboratory Corp of America Holdings	Medical Supplies	994.50
Law Enforcement Systems Inc.	Warning Tickets	81.00
Lenzes Printing	Shipping	4.00
Leo Riley & Co.	Audit Fiscal Year Ended 6-30-09	7000.00
Linda L. Tokarczyk	Contract Labor	450.00
Lloyd Raber	Gravel	17500.00
M & M Sanitation	Monthly Toilet Rental	205.00
Marlette Snoozy	On Call Hours & Flu Clinic Meals	257.91
Matthew Bender & Co. Inc.	WY Court Rules	237.64
Max Robert Masters	Mapping Contract	2000.00
Med-Tech Resource, Inc.	Key, Forestry, Coupled Hose & Shirts	5028.29
Michael R. Frolander	Conference Registration, Meals & Expenses	791.34
Moorcroft Leader	Publishing	370.20
Moore Medical, LLC	Supplies	216.71
Motive Parts & Supply	Wipers	25.66
Motorola	Astro 25 Port & Cables	657.50
National District Attorneys Assoc.	Dues	95.00
Office Depot	Supplies	53.95
Paetec	Telephone	190.33
Patricia J. Voll, FNP	Clinic	210.00
Patricia Liebsack	Mileage	40.15
Plainsman Printing, Inc.	Division Sheets & Mylar Labels	379.74
Powder River Energy Corp.	Electricity	3835.90
Powerplan BF	Rent Crawler & Ripper	9072.00

Quality Agg & Construction	Road Base & Contract Labor & Equipment	42974.00
Quill Corporation	Supplies	353.76
Randy Gill	Mileage	52.80
Range Telephone Cooperative, Inc.	Telephone	2992.50
Rasmussen Mechanical Services, Inc.	Installation for Service Agreement	3219.71
Rebecca A. Rolf	Mileage	401.50
Reimer Construction & Handyman Services	Brick Restoration at Library	280.00
Rex Overholt	Digital Video Capture	1084.40
RT Communications	Telephone	659.69
Sanofi Pasteur, Inc.	Fluzone	830.12
Schultz Coal Sales, Inc.	Coal	1050.10
Secretary of State-Notary Division	Notary Filing Fee	30.00
Security Insurance Agency Inc.	Bond Renewals	1650.00
Sirchie Fingerprint Labs	Fingerprint Pad	35.15
Society for Range Management	Membership Renewal	125.00
Sundance Dillon's Hardware	Supplies	171.60
Sundance Equipment Company	Parts	1422.95
Sundance Sign & Graphics	Emergency Management & Hazmat Seals	356.00
Sundance State Bank	Direct Deposit Fees	9.62
Sundance Subway	Meals	17.26
Sundance Times	Publishing	1090.50
Terry's Auto	Flywheel Shims	14.90
Theresa L. Curren	Meals & Gas for Grant Management Class	90.74
Thompson West-	Lafave Search & Seizure	193.50
Timberline Services Inc.	Contract Hauler	3760.00
Todd Leimser	Uniform Pants	83.80
Tongue River Communications	Jail Cable	54.00
Top Office Products, Inc.	Supplies & Copy Charges	1041.74
Tower Valley Ag Supply	Gas & Diesel	5746.25
Town of Hulett	Water	43.50
Town of Moorcroft	Water	85.03
Town of Pine Haven	County Funding-Ambulance	1333.38
Tracy Motor Company	Supplies	1237.99
UNUM	Disability Insurance	258.06
Urbin & Patterson, LLP	Court Appointed Attorney Fees	460.09
US Post Office	Post Office Box Rent	44.00
Vernon Montgomery	Bailiff Fees	60.00
Versatel Communication	Programming Software & Supplies	380.00
Visa	Supplies & Travel Expenses	1086.94
Walmart	Supplies	43.75
WPCI	Drug Testing	178.50
WY Department of Transportation	Project Expenditures-Inyan Kara Road	7699.33
WY Retirement System	Rehired Retiree Contribution	1842.23
Wyoming Roofing & Supply	Removal & Disposal of Existing Roof	8400.00
Total		526235.51

The following monthly collections were collected:

County Clerk	\$7,885.00
County Sheriff	\$6,946.29
Clerk of District Court	\$1,881.94
Public Health Nurse (October)	\$6,529.62

On January 5, 2010 at 10:30 o'clock a.m. the Board will make the following Board appointments:

One Crook County Fair Board Member – Five Year Term

One Northeast Wyoming Economic Development Coalition Board Member, Representing the Private Sector – Three Year Term

All interested parties are encouraged to apply. Applications can be obtained from the Crook County Clerk's Office, P.O. Box 37, Sundance, WY 82729, 307-283-1323. All applications must be submitted to the County Clerk by or before January 5, 2010 at 10:30 o'clock a.m.

Jim moved to appoint Ralph W. Goodson as the Crook County Surveyor and to approve the Bond for Ralph W. Goodson, Crook County Surveyor. Kelly seconded, all ayes, motion carried.

Kelly moved to approve the following resolutions:

**RESOLUTION NUMBER 2009-15
TO DOCUMENT CROOK COUNTY'S
IMPLEMENTATION OF THE PROVISIONS OF SECTION
414(h)(2) OF THE INTERNAL REVENUE CODE, REGARDING EMPLOYER
PICK-UP OF NON LAW ENFORCEMENT EMPLOYEE RETIREMENT CONTRIBUTIONS TO THE
WYOMING RETIREMENT SYSTEM**

WHEREAS, Crook County, Wyoming by and through the Board of County Commissioners in and for Crook County, Wyoming has the authority to implement the provisions of section 414(h)(2) of the Internal Revenue Code (IRC); and

WHEREAS, the Board of County Commissioners took official action regarding section 414(h)(2) IRC at Commissioners Proceedings Book 9 Page 84 on May 3, 1994 to become effective on January 1, 1995 for all employees except for law enforcement; and

WHEREAS, Board of County Commissioners wishes to adopt this resolution in order to have additional documentation confirming its prior formal actions to pick up contributions under the Plans.

WHEREAS, the Board of County Commissioners has determined that even though the implementation of the provisions of section 414(h)(2) IRC is not required by law, the tax benefit offered by section 414(h)(2) IRC should be provided to its employees who are members of the Wyoming Retirement System.

IT IS THEREFORE RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS IN AND FOR CROOK COUNTY, WYOMING AS FOLLOWS:

I. That the Board of County Commissioners will implement the provisions of section 414(h)(2) Internal Revenue Code by making employee contributions pursuant to W.S. § 9-3-412(b) on behalf of its employees who are members of the Wyoming Retirement System. "Employee contributions" shall mean those contributions to the Wyoming Retirement System which are deducted from the salary of employees and are credited to individual employee's accounts.

II. That the contributions made by the Board of County Commissioners to the Wyoming Retirement System, although designated as employee contributions, are being paid to the Wyoming Retirement System by the Board of County Commissioners in lieu of contributions by the employees who are members of the Wyoming Retirement System.

III. That employees shall not have the option of choosing to receive the contributed amounts directly instead of having them paid by the Board of County Commissioners to the Wyoming Retirement System.

IV. That the Board of County Commissioners shall pay to the Wyoming Retirement System the contributions designated as employee contributions from the same source of funds as used in paying salary.

V. That the amount of the contributions designated as employee contributions and picked-up by the Board of County Commissioners to the Wyoming Retirement System on behalf of an employee shall be the entire contribution required of the employee by the Wyoming Retirement Act.

VI. That the contributions designated as employee contributions made by the Board of County Commissioners to the Wyoming Retirement System shall be treated for all purposes, other than taxation, in the same way that member contributions are treated by the Wyoming Retirement System.

VII. This resolution is effective on the same date that the Board of County Commissioners first provided for employee contributions, and shall apply prospectively to all future employee contributions.

Dated December 1, 2009.

The Board of County Commissioners in and for Crook County, Wyoming
John A. Moline, Jr., Chairman, J. W. Hadley, Vice-Chairman, Kelly B. Dennis, Member.
State of Wyoming }
County of Crook }

The foregoing instrument was signed and attested to before me by John A. Moline, Jr., Chairman, J. W. Hadley, Vice-Chairman, Kelly B. Dennis, Member of the Board of County Commissioners in and for Crook County, Wyoming, on behalf of Crook County this 1st day of December 2009.

WITNESS my hand and official seal. Connie D. Tschetter, Crook County Clerk.

RESOLUTION NUMBER 2009-16
TO DOCUMENT CROOK COUNTY'S
IMPLEMENTATION OF THE PROVISIONS OF SECTION
414(h)(2) OF THE INTERNAL REVENUE CODE, REGARDING EMPLOYER
PICK-UP OF LAW ENFORCEMENT EMPLOYEE RETIREMENT CONTRIBUTIONS TO THE
WYOMING RETIREMENT SYSTEM

WHEREAS, Crook County, Wyoming by and through the Board of County Commissioners in and for Crook County, Wyoming has the authority to implement the provisions of section 414(h)(2) of the Internal Revenue Code (IRC); and

WHEREAS, the Board of County Commissioners took official action regarding section 414(h)(2) IRC at Commissioners Proceedings Book 9 Page 84 on May 3, 1994 to become effective on January 1, 1995 to pay for a portion of the law enforcement employee share except 3.2% that the law enforcement employee would pay; and

WHEREAS, the Board of County Commissioners took official action regarding section 414(h)(2) IRC at Commissioners Proceedings Book 9 Page 594 on June 4, 2002 to become effective on January 1, 2003 to pay for a portion of the law enforcement employee share except 4.84% that the law enforcement employee would pay; and

WHEREAS, the Board of County Commissioners took official action regarding section 414(h)(2) IRC at Commissioners Proceedings Book 10 Page 371 on July 1, 2008 to become effective on July 1, 2008 for all law enforcement employees; and

WHEREAS, Board of County Commissioners wishes to adopt this resolution in order to have additional documentation confirming its prior formal actions to pick up contributions under the Plans.

WHEREAS, the Board of County Commissioners has determined that even though the implementation of the provisions of section 414(h)(2) IRC is not required by law, the tax benefit offered by section 414(h)(2) IRC should be provided to its employees who are members of the Wyoming Retirement System.

IT IS THEREFORE RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS IN AND FOR CROOK COUNTY, WYOMING AS FOLLOWS:

I. That the Board of County Commissioners will implement the provisions of section 414(h)(2) Internal Revenue Code by making employee contributions pursuant to W.S. § 9-3-412(b) on behalf of its employees who are members of the Wyoming Retirement System. "Employee contributions" shall mean those contributions to the Wyoming Retirement System which are deducted from the salary of employees and are credited to individual employee's accounts.

II. That the contributions made by the Board of County Commissioners to the Wyoming Retirement System, although designated as employee contributions, are being paid to the Wyoming Retirement System by the Board of

County Commissioners in lieu of contributions by the employees who are members of the Wyoming Retirement System.

III. That employees shall not have the option of choosing to receive the contributed amounts directly instead of having them paid by the Board of County Commissioners to the Wyoming Retirement System.

IV. That the Board of County Commissioners shall pay to the Wyoming Retirement System the contributions designated as employee contributions from the same source of funds as used in paying salary.

V. That the amount of the contributions designated as employee contributions and picked-up by the Board of County Commissioners to the Wyoming Retirement System on behalf of an employee shall be the entire contribution required of the employee by the Wyoming Retirement Act.

VI. That the contributions designated as employee contributions made by the Board of County Commissioners to the Wyoming Retirement System shall be treated for all purposes, other than taxation, in the same way that member contributions are treated by the Wyoming Retirement System.

VII. This resolution is effective on the same date that the Board of County Commissioners first provided for employee contributions, and shall apply prospectively to all future employee contributions.

Dated December 1, 2009.

The Board of County Commissioners in and for Crook County, Wyoming
John A. Moline, Jr., Chairman, J. W. Hadley, Vice-Chairman, Kelly B. Dennis, Member.
State of Wyoming }
County of Crook }

The foregoing instrument was signed and attested to before me by John A. Moline, Jr., Chairman, J. W. Hadley, Vice-Chairman, Kelly B. Dennis, Member of the Board of County Commissioners in and for Crook County, Wyoming, on behalf of Crook County this 1st day of December, 2009.

WITNESS my hand and official seal. Connie D. Tschetter, Crook County Clerk.

Jim seconded, all ayes, motion carried.

Kelly moved to appoint Robin Voight and Doris Brown to the Northern Wyoming Mental Health Center, Inc. Board. Jim seconded, all ayes, motion carried.

Kelly moved to reappoint Lloyd Jolley to the Crook County Predatory Animal Control Board, representing Sportsmen and Hunters for a three-year term. Jim seconded, all ayes, motion carried.

Morgan Ellsbury, Road and Bridge Foreman, Theresa Curren, Secretary, Public Works Department, Donna Thaler, Mary Kuhl, County Treasurer and Randy Gill, Facilities Maintenance Foreman were present for the public hearing to determine whether or not to allow the use of Forest Reserve Title III Funds for the following request:

A request was received from Dan Blakeman, Crook County Fire Warden, to use Forest Reserve Title III Funds in the amount of \$6.78, to purchase fire clothing and tools for the volunteer firefighters.

No oral or written objections were received. Jim moved to approve the request to use Forest Reserve Title III Funds in the amount of \$6.78, to purchase fire clothing and tools for the volunteer firefighters. Kelly seconded, all ayes, motion carried.

Discussion was held on the status of the Public Works Department. The Board is currently evaluating the Public Works Department. Present were Morgan Ellsbury, Road and Bridge Foreman, Theresa Curren, Secretary, Public Works Department, Donna Thaler, Mary Kuhl, County Treasurer, Randy Gill, Facilities Maintenance Foreman, Tina Wood, Clerk of District Court, Joe Baron, County Attorney, Gari Gill, Deputy County Fire Warden and Dee Griffis, County Assessor.

Fred Tschetter, Mayor, City of Sundance, requested assistance with Black Buttes County Road No. 4 and Fuller County Road No. 256. The Board agreed to help obtain funding for an industrial road and for other county roads and rights-of-way that lie within the City of Sundance. The Board will also trade some dozer work at the City of Sundance landfill in lieu of landfill fees. Also present were Joe Baron, County Attorney, Morgan Ellsbury, Road and Bridge Foreman, Randy Gill, Facilities Maintenance Foreman, Gari Gill, Deputy County Fire Warden and Theresa Curren, Secretary, Public Works Department.

Morgan Ellsbury, Road and Bridge Foreman, Randy Gill, Facilities Maintenance Foreman and Theresa Curren, Secretary, Public Works Department gave a monthly report. Also present were Joe Baron, County Attorney and Gari Gill, Deputy County Fire Warden.

Randy informed the Board he would like to apply for a Wyoming Energy Council (WEC) EECBG Competitive grant through the WEC and requested a letter of support for the WEC in their application to the U.S. Department of Energy and Conservation Competitive Block Grant. The WEC is submitting an application on behalf of a consortium of local governments across Wyoming. The grant will allow funding to improve our energy efficiency in the Courthouse. Randy also requested to apply for a grant through the Wyoming Business Council in conjunction with the WEC grant, to improve our energy efficiency in the Courthouse. In order to apply for the grants the County must have an energy audit performed on the courthouse, which would cost \$2,000.00. Kelly moved to approve a letter of support as requested, for Randy to proceed on getting an energy audit performed and to proceed with both grant applications. Jim seconded, all ayes, motion carried.

Theresa informed the Board that the Town of Pine Haven was awarded grant monies from the County Consensus Block Grant Funds for three separate projects. Pine Haven has completed the Southeast Water Improvement Project. This project has a remaining balance of \$3,238.86. The Crook County Consensus Block Grant Committee held a quarterly meeting on October 8, 2009. The Town of Pine Haven requested that the remaining balance of the Southeast Water Improvement Project be transferred to the Water System Upgrades Phase 1. Discussion was held. Jim moved to approve the request and to transfer the remaining balance of the Southeast Water Improvement Project to the Water System Upgrades Phase 1. Kelly seconded, all ayes, motion carried.

Jim moved to ratify the signature of John A. Moline, Jr., Chairman, Board of Crook County Commissioners, for the City of Sundance SLIB application, to use remaining funds of the Paving/Chip Seal Project for a Clarenbach Memorial Park Improvement Project and a Structure Fire Truck Purchase. Kelly seconded, all ayes, motion carried.

Jim moved to rescind the motion made to reappoint Lloyd Jolley to the Crook County Predatory Animal Control Board, representing Sportsmen and Hunters for a three-year term. Kelly seconded, all ayes, motion carried.

Adjourned for lunch at 12:32 o'clock p.m.

1:00 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.

Tim Lyons, Growth and Development Administrator and Fred Duncan, County Planner, gave a monthly subdivision and deed report and a report on septic systems.

Mary Kuhl, County Treasurer, submitted the following monthly report of receipts and disbursements for month end November 30, 2009:

Total Receipts		\$4,842,570.05
Disbursements:	Towns	\$116,093.97
	County Boards	\$192,556.51
	State & Local School	\$879,579.04
	DOT/DOR/Rebate	\$98,451.77
	Redemption/S. Park	
	Total	\$1,286,681.29

Jim Pridgeon, Homeland Security County Coordinator, gave a monthly report and gave an update on obtaining costs to purchase a generator for the courthouse. Gari Gill, Deputy County Fire Warden, gave a monthly report. Jim moved to approve a Grant Award Agreement for U.S. Department of Transportation, Hazardous Materials Emergency Planning Grant (HMEP) Fiscal Year 2010. Kelly seconded, all ayes, motion carried. Also present was Joe Baron, County Attorney.

Kelly moved to transfer funds as follows: Pursuant to Wyoming Statutes 16-4-112, notice is given that a Resolution has been proposed to transfer \$396.13 from unanticipated revenues to the Federal Grants Budget, LEPC Grant HM-HMP10 line, due to receiving grant funds. Notice is further given that a hearing of the Board of Crook County Commissioners of Crook County, Wyoming will be held on January 5, 2010 at 8:00 o'clock a.m. to consider such proposed resolution. Jim seconded, all ayes, motion carried.

Kelly moved to approve an Order Dismissing Application for Private Road No. 272 in the matter of the Application for the Establishment of the Private Road by Gertrude Lytle. Jim seconded, all ayes, motion carried. Also present was Joe Baron, County Attorney.

The following monthly collection was collected:

Circuit Court	\$19,366.00
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Joe Baron, County Attorney, Max Main, Attorney (per conference call) and Wayne Wilson, Attorney (per conference call) were present for the public hearing on Private Road No. 274 in the matter of the Application for Establishment of Private Road by Donald J. Johnson and Teresa M. Johnson, to determine legal access and alternative routes. The parties requested a continuance since they are close to settling the matter.

The meeting adjourned at 3:05 o'clock p.m.

Wednesday, December 2, 2009

8:00 o'clock a.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.

Warren Oyler, Resident Engineer, Wyoming Department of Transportation, gave an update on bridge and road projects. Also present was Fred Duncan, County Planner.

Joe Baron, County Attorney and Ray Weidenhaft, Wyoming State Forestry Division (per conference call), discussed recovery restitution for the value of fire fighting services.

Joe Baron, County Attorney, Tim Lyons, Growth and Development Administrator, Morgan Ellsbury, Road and Bridge Foreman, Theresa Curren, Secretary, Public Works Department and the Board discussed a draft Agreement to Alter and Cover the Costs of County Road No. 95 Known as the Wes Tabor County Road.

Joe Baron, County Attorney, Tim Lyons, Growth and Development Administrator, Morgan Ellsbury, Road and Bridge Foreman and the Board discussed a draft Policy on Setting Speed Limits on County Roads.

The Board reviewed the requests for refund of interest paid on property taxes from the following taxpayers: Morgan Ellsbury and Weston K. and Angela M. Donner. The Board reviewed the information received from the County Treasurer and the County Assessor and discussion was held. Jim moved to authorize John to sign an Order on behalf of the Board to refund one hundred percent (100%) of the interest paid for Morgan Ellsbury. Kelly

seconded, all ayes, motion carried. Kelly moved to authorize John to sign an Order on behalf of the Board to refund one hundred percent (100%) of the interest paid for 2006, fifty percent (50%) of the interest paid for 2007 and no refund of the interest paid for 2008 for Weston K. and Angela M. Donner. Jim seconded, all ayes, motion carried. Discussion was held on the process regarding taxpayers making a request for refund of interest paid on property taxes. Present were Mary Kuhl, County Treasurer, Kathy Gearhart, Clerk, Treasurer’s Office, Dee Griffis, County Assessor, Joe Baron, County Attorney, Linda Fritz, Deputy County Clerk, Trudy Materi, Title Transfer Deputy, Assessor’s Office and Tim Lyons, Growth and Development Administrator.

Morgan Ellsbury, Road and Bridge Foreman, Randy Gill, Facilities Maintenance Foreman and Theresa Curren, Secretary, Public Works Department gave a monthly report. Jim Maupin (per conference call) requested to obtain shale out of his pit that the County has a lease on. The Board does not have a problem with this and will have the Public Works Department draft a letter to Mr. Maupin regarding this. Morgan and Randy informed the Board they are establishing a vendor list and bid packet to use for future projects. Also present were Mary Kuhl, County Treasurer and Tim Lyons, Growth and Development Administrator.

Adjourned for lunch at 12:49 o’clock p.m.

1:05 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.

Jeanne Whalen and Jon Lienemann, Members, Crook County Land Use Planning and Zoning Commission (CCLUP&ZC), Tim Lyons, Growth and Development Administrator and Fred Duncan, County Planner, gave a monthly report. Also present were Wayne Garman, Supervisor, Crook County Natural Resource District (CCNRD), Steve Kozel, Bearlodge District Ranger, USDA Forest Service, Tara Piper, Bureau of Reclamation and Ogden Driskill.

Kelly moved to send a letter to the U.S. Forest Service requesting a declarative statement from the U.S. Forest Service stating what the U.S. Forest Service is going to do with Crook County, Wyoming roads in the Black Hills National Forest Travel Management Plan. Jim seconded, all ayes, motion carried.

Wayne Garman, CCNRD, gave a monthly update.

Steve Kozel, Bearlodge District Ranger, USDA Forest Service, gave a monthly update.

Tara Piper, Bureau of Reclamation, gave an update on Bureau of Reclamation activities.

Dee Griffis, County Assessor, presented tax corrections. Jim moved to approve the following tax corrections: 2005-146; 2006-133; 2007-238; 2008-227; 2009-20; 2009-21; 2009-22; 2009-23; 2009-24; 2009-25; 2009-26; 2009-27; 2009-28; 2009-29; 2009-30; 2009-31; 2009-32; 2009-33; 2009-34; 2009-35; 2009-36; 2009-37; 2009-38; 2009-39; 2009-91-1; 2009-91-2; 2009-91-3; 2009-91-4; 2009-91-5; 2009-91-6; 2009-91-7; 2009-91-8; 2009-0101 and 2009-1091, contingent upon the approval of the County Treasurer. Kelly seconded, all ayes, motion carried.

The Board discussed Courthouse space needs with Kyle Gillette, Schutz Foss Architects, P.C., and directed Kyle to review options on how the County could proceed to accommodate space needs in the courthouse within the existing building. Also present were Randy Gill, Public Works Facility Maintenance Foreman, Joe Baron, County Attorney, Mary Kuhl, County Treasurer, Tim Lyons, Growth and Development Administrator, Joe Thaler and Arna Montgomery, Circuit Court Clerk.

Jim moved to approve a Memorandum of Understanding, Wyoming Home Energy Makeover Program and Local Government Energy Efficiency Improvement and Renewable Installation Project Consortium. Kelly seconded, all ayes, motion carried.

Tim Lyons, Growth and Development Administrator, Joe Baron, County Attorney, Jamie Reynolds, Jeanne Whalen, Member, CCLUP&ZC, Mary Kuhl, County Treasurer and Glen Wyatt were present for a public hearing for Jamie Reynolds pertaining to an Order to Appear Before the Board to Determine Whether or Not to Issue an Order to Comply with the Small Waste Water Treatment Facilities Installation Rules and Regulations. Discussion was held. An inspection date was set for December 18, 2009 for the County Growth and Development Department to inspect the Small Waste Water Treatment Facilities Installation unless it is able to be completed sooner.

Glen Wyatt presented a Resolution of Support for Funding Initiatives of the Vore Buffalo Jump Foundation and requested the Boards support. Kelly moved to approve the following resolution:

RESOLUTION NUMBER 17-2009

TO SUPPORT FUNDING INITIATIVES OF THE VORE BUFFALO JUMP FOUNDATION

WHEREAS, the Board of Crook County Commissioners, understands that the Vore Buffalo Jump is one of the most important archaeological sites in North America and supports the Vore site’s development; and

WHEREAS, the mission of the Vore Buffalo Jump Foundation is the high quality development of the scientific, educational, cultural and economic potentials of the Vore Buffalo Jump; and

WHEREAS, additional infrastructure, facilities and programs are vital to accomplishing this mission; and

WHEREAS, the Vore Buffalo Jump is actively seeking funding for the required infrastructure, facilities and programs; now therefore

BE IT RESOLVED THAT the Board of Crook County Commissioners hereby expresses its strong support for any and all grant applications and funding mechanisms to support the Vore Buffalo Jump Foundation in furtherance of the mission described.

Dated this 2nd day of December, 2009.

BOARD OF COUNTY COMMISSIONERS IN AND FOR CROOK COUNTY, WYOMING

John A. Moline, Jr., Chairman, J.W. Hadley, Vice-Chairman and Kelly B. Dennis, Member.

State of Wyoming }

County of Crook }

Signed or attested before me on December 2, 2009 by John A. Moline, Jr., Chairman, J. W. Hadley, Vice-Chairman and Kelly B. Dennis, Member, Board of Crook County Commissioners.

Connie D. Tschetter, Crook County Clerk

Jim seconded, all ayes, motion carried.

Scott Clyde, RDO Equipment Company, presented a purchase cost on a dozer and a eighty-four inch (84") compactor/ roller that the County has been currently renting from RDO Equipment Company. The Board requested that Mr. Clyde review the figure submitted and present it to them on Monday, December 7, 2009 at 1:00 o'clock p.m. Also present were Morgan Ellsbury, Road and Bridge Foreman, Mary Kuhl, County Treasurer and Jeanne Whalen, Member, CCLUP&ZC.

Jeff Campbell and Tony Simpson, Strata Energy and Ben Schiffer, WWC Engineering, gave a presentation on the Lance Uranium Project in Oshoto. Also present were Tim Lyons, Growth and Development Administrator, Mary Kuhl, County Treasurer, Jeanne Whalen, Member, CCLUP&ZC, Fred Duncan, County Planner and Joe Baron, County Attorney.

The meeting adjourned at 5:30 o'clock p.m. to meet in special session on December 7, 2009 at 1:00 o'clock p.m. to discuss a purchase of a dozer and a eighty-four inch (84") compactor/roller and to meet in regular session on January 5 and 6, 2010 at 8:00 o'clock a.m., in the Commissioner's Room at the Courthouse in Sundance, Wyoming.

John A. Moline, Jr., Chairman

Kelly B. Dennis, Member

James W. Hadley, Vice-Chairman

Attested: _____
Connie D. Tschetter, County Clerk