

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS AT THE COURTHOUSE IN
SUNDANCE, CROOK COUNTY, WYOMING****TUESDAY, AUGUST 3, 2010**

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.

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

Kelly moved to approve a Crook County Policy on the Disposal of Electronic Devices. Jim seconded, all ayes, motion carried.

The following bills were paid:

<u>CLAIMANT</u>	<u>PURPOSE</u>	<u>AMOUNT ALLOWED</u>
Total Wages		158099.28
AFLAC	Insurance	2386.18
Blue Cross Blue Shield of Wyoming	Health Insurance	46000.48
Col. Life & Accident Ins. Co.	Insurance	48.07
Crook County Payroll Tax Account	Withholding & Social Security	49693.87
Department of Employment	Worker's Compensation	3332.51
New York Life Insurance Company	Life Insurance	659.43
Orchard Trust Company	Deferred Compensation	3480.00
VSP	Vision Insurance	517.80
Wyoming Retirement System	Retirement	25324.30
Wyoming Educator's Benefit Trust	Life Insurance	209.56
Wyoming NCPERS Life Insurance	Life Insurance	144.00
A & B Welding Supply Co., Inc.	Saw Blade & Supplies	85.62
Alltel	Cell Phone	969.01
AlSCO/American Linen	Shop Towels & Dust Mops	262.25
Architectural Specialties, LLC	Labor	99.00
Bam Electric, LLC	Exit & Flood Light Installation	1260.00
Barbara J. Coy, RN	On-Call Hours	492.00
Bearlodge LTD., Inc.	Cadd & Prints	401.00
Big Horn Tire Inc.	Tire Safety Cage, Battery & Tire	851.02
Black Hills Chemical Co.	Supplies	323.70
Blakeman Propane Inc.	Propane	401.48
Bolinger, Inc.	Receivers	100.00
Cenex Fleetcard	Fuel	1878.06
Chemical Testing Program c/o T. Johnson	12 Blood Kits	114.00
City of Sundance	Water	748.24
Clinical Lab of the Black Hills	Autopsy	1957.00
Computer Software Associates, Inc.	Annual Support Fees & Staging for Server	18321.00
Conocophillips	Gas	224.97
Contractors Supply Inc.	Chairs & Joint	55.35
Crescent Electric Supply Company	Fluorescent Lamps	36.96
Crook County	Employer Paid Benefits from Grant & Admin Fees	5782.77
Crook County Medical Services Dist.	Prisoner Meals	2976.14
Crook County Public Health	Office Space Rent	1336.00
Crook County Senior Services	County Funding	1250.00
Crook County Treasurer	Postage	51.63
Custom Auto & Truck	Parts & Labor	140.05
D/S Trucking LLC	Hauling J-Base to D Road	68217.21
Dakota Business Center	Supplies	136.10
Daly, Davidson & Sorenson, LLC	Court Appointed Attorney Fees	325.69
Decker's Food Center	Supplies	25.12
Department of Employment	Worker's Compensation	160.46
Department of Health	Rental for State Vehicle & 8th Quarter Payroll	15449.73
Dept of Employment	Unemployment	3681.22
Double Star Computing	Onsite Computer Services	2140.00
Election Systems & Software	Firmware Usage, Maint., Election Supplies/Ballots	26661.84
Electrical Design Consultants	Professional Services	500.00
Environmental Systems Research Inst.	Arc View Maintenance	400.00
Farmer's Co-op Assoc.	Diesel & Grease	596.51
Fastenal Company	Parts	30.34
Floyd Carr	Appraisal-Railroad Addition	400.00

Gene Gade	Mileage	65.00
Glenn Properties LLC	Diesel & Gas	4351.68
Gundy's Repair	1st Quarter Maintenance Contract	2024.82
Hillside Pharmacy	Supplies	20.68
Hulett Hardware	Supplies	12.03
Hulett LP Gas Service	Propane	487.50
Intab, Inc.	Seals	117.95
Integrity Ford	Parts & Labor	650.38
Janet M. Lake	Supplies, Meals & Registration Fees	90.07
John A. Moline, Jr.	Mileage	180.00
Joseph Michael Baron	Registration	75.00
JT Vehicle Systems	Siren Repair	35.00
Keith Lambert	Labor to Pour & Finish Pad	900.00
Kelly B. Dennis	Mileage	216.00
Law Office of Robert J. O'Neil	Court Appointed Attorney Fees	412.50
Lenzes Distributing	Shipping	4.00
Lenzes Printing	Forms	21.00
Leslie's Sinclair	Gas & Diesel	6990.08
M & M Industrial Cleaning, LLC	Foam Agent	1500.00
M & P Auto Body	Repairs	651.00
Marlette Snoozy	On Call Hours	246.00
Materi Contracting	Labor & Materials	600.00
Matthew Bender & Co., Inc.	Court Rules & Statute Books	667.17
Max Robert Masters	Mapping Contract for GIS & Subdivisions	2000.00
Mercill Law Office, LLC	Court Appointed Attorney Fees	1157.50
Michael R. Frolander	Reimbursement for Shelf	158.98
Midwest Cancer Screening	Pap Smears	47.40
Moorcroft Leader	Publishing & Subscription	97.00
Morrow Brothers Ford, Inc.	(2) 2010 Ford Explorers	45800.00
Movin' On Kennels	Dog Food	107.85
Norval Waller	Viewer & Appraiser Fees & Mileage	261.00
Office Depot	Supplies	64.34
Oracle	Technical Support Services	38.00
Paetec	Telephone	181.60
Paradise Foods	Gas	34.51
Patricia J. Voll, FNP	FP Clinic Hours	420.00
Peggy Rose Symonds	Meals, Registration, Mileage & Supplies	77.26
Powder River Energy Corp.	Electricity	3764.89
Powder River Office Supply, Inc.	Supplies	146.37
Quality Agg & Construction	Trucking, Blade & Operator & Base Coarse	108991.00
Quality Hardware & Supply	Parts	27.59
Range Telephone Cooperative, Inc.	Telephone	6302.15
Rasmussen Mechanical Services, Inc.	Labor	33.75
Ringer Law, P.C.	Court Appointed Attorney Fees	108.00
Robert's Machine & Repair	Mounts to Install Bed in Suburban	176.15
RT Communications	Telephone	1349.35
Schutz Foss Architects, PC	Engineer & Survey Fees	760.00
Sheehan Mack Sales & Equipment	Parts	114.38
Sherri Davis	Reimbursement	50.00
Sundance Dillon's Hardware	Supplies	756.84
Sundance Equipment Company	Parts	478.60
Sundance State Bank	Direct Deposit Fees	9.83
Sundance Subway	Meals	49.01
Sundance Times	Publishing	2305.25
Supply Cache	Hose	461.00
Tongue River Communications	Jail Cable	56.00
Top Office Products, Inc.	Supplies & Copy Charges	257.43
Tower Valley Ag Supply	Gas & Diesel	3762.98
Town of Hulett	Water	43.50
Town of Moorcroft	Water, Ambulance & Landfill Funding	1706.67
Tracy Motor Company	Supplies	1597.03
UNUM	Disability Insurance	271.64
Urbin & Patterson, LLP	Court Appointed Attorney Fees	1039.18
USDA Forest Service	FY2010 Funding	2101.00
UW Cooperative Extension Service	Car Pooling	168.00
Vehicle Lighting Solutions, Inc.	Light Bar & Mounting Kit	1544.00
Veto Enterprises, Inc.	Delivery of Vehicles	1200.00
Visa	Supplies & Travel Expenses	1630.82
Volunteer Fireman's Retirement Fund	Volunteer Firemen Pension Fund	2762.50
Wells Plumbing	Fire Nozzles	127.20

Western Printing, Inc.	Primary District Election Cards	389.00
WPCI	Drug Screens	28.50
WY Department of Transportation	Project Expenditures	94.94
WY Retirement System	Rehired Retiree Contributions	1628.41
Wyoming Division of Victim Services	Returned Grant Funds	13481.76
Wyoming Stationery	Supplies	99.04
Zee Medical Service	Medical Supplies	112.40
Total		679486.41

The following monthly collections were collected:

County Clerk	\$8,496.92
County Sheriff	\$8,058.84
Clerk of District Court	\$5,659.00
Public Health Nurse	\$1,548.68

Jim moved to approve a Utility License between Crook County and Qwest Corporation. Kelly seconded, all ayes, motion carried.

Kelly moved to approve a Bond for Yvonne Moberg, Treasurer, Crook County Library Board. Jim seconded, all ayes, motion carried.

Upon the recommendation from Connie Tschetter, County Clerk, Jim moved to appoint Ella Mae Gayloard and Jean Lenz to the Crook County Canvassing Board for the 2010 Primary and General Elections. Kelly seconded, all ayes, motion carried.

Kelly moved to approve a Contract for Services between Crook County Family Violence and Sexual Assault Services, Inc. and Crook County Commissioners. Jim seconded, all ayes, motion carried.

Jim moved to approve an Agreement between the County of Crook and the Weston County Children’s Center/Region III Developmental Services. Kelly seconded, all ayes, motion carried.

At 10:15 o’clock a.m. the Board met as the Crook County Board of Equalization and went back into regular session at 10:18 o’clock a.m.

The Board discussed approving the County Property Tax Levy Report, Report of Valuations, Mill Levies and Taxes 2010 and requested that budgets for fiscal year 2010-2011 be received from all of the special districts before action will be taken. Present were Joe Baron, County Attorney, Dee Griffis, County Assessor and Martha Keith, Executive Secretary, Crook County Museum District.

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 Corey Frasier.

The following sealed bids for cattleguards were received:

- Mike’s Welding - 12’ cattleguard \$1,060.00 and 16’ cattleguard \$1,410.00
- Frasier’s Welding - 12’ cattleguard \$880.00 and 16’ cattleguard \$1,220.00
- Redwater Welding - 12’ cattleguard \$900.00 and 16’ cattleguard \$1,150.00
- Dream Garage, Inc. - 12’ cattleguard \$924.00 and 16’ cattleguard \$1,281.00
- Robert’s Machine - 12’ cattleguard \$1,250.00 and 16’ cattleguard with splices \$1,450.00 and 16’ cattleguard with no splices \$1,650.00

Kelly moved to accept the bid from Frasier’s Welding for the 12’ cattleguard \$880.00 and the bid from Redwater Welding for the 16’ cattleguard \$1,150.00. Jim seconded, all ayes, motion carried.

Jim moved to approve the following resolution:

RESOLUTION NO. 2010-8
CONCERNING THE LOCATION, SURVEY AND ESTABLISHMENT OF THE DONKEY CREEK ROAD AS COUNTY ROAD NO. 218

WHEREAS, on September 7, 1982 at Book 8 Commissioners Proceedings, at page 168, the Donkey Creek County Road Number 218 was established as a County Road pursuant to Wyoming Statute 24-3-108 wherein the then Board of County Commissioners stated:

“Motion was made, seconded and carried to declare the following a county road under the provisions of W. S. 24-3-108: That portion of the access road to the Donkey Creek Oil Field, commencing at a point on Highway #14-16 approximately 5.1 miles west of Moorcroft in NE1/4SE1/4 of Section 30, Township 50 North Range 68 West of the 6th P.M. Crook County, Wyoming and running south across the Burlington Northern Railroad tracks and ending at the south boundary of the Burlington Northern right of way.”

WHEREAS, the Board of County Commissioners had the authority pursuant to Wyoming Statute 24-3-108 to establish this road as a County Road when in their judgment such action shall be in the interest of economy or the public good and the road is of sufficient importance to be opened and traveled; and

WHEREAS the Public Service Commission of Wyoming declared at G.C. Docket No. 92 that the Donkey Creek County Road grade crossing was a public highway-railroad grade crossing; and

WHEREAS the traveling public has used this road since at least 1982 and the County has maintained this road since at least that time, and

WHEREAS after a thorough search of the road records in the Crook County Clerk’s Office a survey could consent to show where the County Road is located, and

WHEREAS County Road No. 218, known as the Donkey Creek County Road was surveyed by the County Surveyor and affect portions of the following described property, to-wit:

Bonds & Interest

Pine Haven w/o Sewer Operating Bonds & Interest	0108 Dist.	Valuation:	500,642		
				8.00	\$4,005
Hulett Operating Bonds & Interest	0150 Dist.	Valuation:	4,039,975		
				8.00	\$32,320
Moorcroft Operating Bonds & Interest	0151 Dist.	Valuation:	5,588,343		
				8.00	\$44,707
Sundance Operating Bonds & Interest	0152 Dist.	Valuation:	8,395,006		
				8.00	\$67,160

Total Municipal Levy	69.50	Municipal Total:	\$186,068
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GRAND TOTAL

\$10,453,563

Other Tax Districts that are not requesting mills and are seen as Tax District 0100 are:

District #	
0102	Vista West
0103	Aladdin Water Dist
0104	Bear Lodge Hills Ranches
0105	Tower Ridge Estates
0106	Sundance Canyon Ranch
0107	Pine Haven Sewer

Signed:
Ardith "Dee" Griffis,
Crook County Assessor

Kelly seconded, all ayes, motion carried. Also present were Joe Baron, County Attorney and Dee Griffis, County Assessor.

Karen Ackerman, A.D.I. Insurance Agency, was present to present more information pertaining to the County property insurance bid she submitted. The following bid was received with the changes made:

A.D.I. Insurance Agency-----\$43,293.00 with terrorism coverage and \$42,032.00 without terrorism coverage.

Kelly moved to accept the bid from A.D.I. Insurance Agency without the terrorism coverage and without the vehicles that were removed today from the vehicle list dated 07/07/2010, which will reduce the cost of the bid received. Jim seconded, all ayes, motion carried.

Joe Baron, County Attorney, discussed TITLE 25 Agreements with WBI and Campbell County Hospital. Jim moved to approve an Agreement between the Wyoming Behavioral Institute and Crook County. Kelly seconded, all ayes, motion carried.

Dave Schroll was present to observe.

Kelly moved to approve to send a letter to the City of Gillette pertaining to the City of Gillette having plans to build a second waterline across County Road No. 68 known as the D Road. Jim seconded, all ayes, motion carried.

The meeting adjourned at 4:16 o'clock p.m.

Wednesday, August 4, 2010

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 Morgan Ellsbury, Road and Bridge Foreman.

Cindy DeLancey, Director, Wyoming County Commissioner Association, introduced herself, requested input from the Board pertaining to Crook County and gave an update. Also present were Joe Baron, County Attorney and Tina Wood, Clerk of District Court.

Morgan Ellsbury, Road and Bridge Foreman and Randy Gill, Facilities Maintenance Foreman, Public Works Department, gave a monthly report. Also present were Joe Baron, County Attorney, Julia Dirks, Pam Beckman, Bill Dirks, Randy Beckman, Wally Lyons, Elizabeth Lyons and Max Main, Attorney.

Discussion was held on the alteration of the Wes Tabor County Road No. 95 known as the River Road. The Board will have Morgan Ellsbury, Road and Bridge Foreman, go and view the road and report back to the Board. The County will survey the alteration of the road. The landowners, Beckmans', Lyons' and Dirks' will give written consent and sixty-six foot (66') wide easements to the alteration of the road. The County will refund the Beckman's deposit upon completion of the process. The County will also vacate other unused County Roads across Beckman's property.

Mary Kuhl, County Treasurer, submitted the following monthly report of receipts and disbursements for month end July 2010:

Total Receipts		\$605,889.08
Disbursements:	Towns	\$72,205.20
	County Boards	\$11,696.18
	State & Local School	\$83,265.01
	DOT/DOR/Rebate	\$86,238.78
	Redemption/S. Park	\$828.24
	Total	\$254,233.41

Kelly moved to go into executive session at 11:53 o'clock a.m. to discuss a personnel issue. Jim seconded, all ayes, motion carried.

The Board went back into regular session at 12:06 o'clock p.m.

Adjourned for lunch at 12:13 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.

Jeanne Whalen, Member, Crook County Land Use Planning and Zoning Commission (CCLUP&ZC) and Tim Lyons, Growth and Development Administrator, gave a monthly report. Also present were Wayne Garman, Supervisor, Crook County Natural Resource District (CCNRD), Mary Kuhl, County Treasurer and Steve Kozel, Bearlodge District Ranger, USDA Forest Service. Steve Kozel, Bearlodge District Ranger, USDA Forest Service and Wayne Garman, Supervisor, CCNRD, gave an update.

Gari Gill, County Fire Warden and Jim Pridgeon, Homeland Security County Coordinator, gave a monthly report. Upon the recommendation from Gari Gill, County Fire Warden, Kelly moved to approve the following resolution:

RESOLUTION NO. 2010-9
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 Gari Gill 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 August 4, 2010 and end on October 15, 2010 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 except as set forth below, in the unincorporated area of Crook County, Wyoming **beginning on August 4, 2010 and ending on October 15, 2010** unless ended sooner by the Board of County Commissioners;
2. That the following rules shall govern the unincorporated areas of Crook County, Wyoming:
 - (i) **Trash or refuse fires, camp fires, and charcoal fires are prohibited;**
 - (ii) **Petroleum fueled stoves, lanterns, or heating devices are only permitted if 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 (3) 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 are prohibited from being thrown out from vehicles;**
 - (iv) **Use of acetylene cutting torches or electric arc welders are permitted, if used in a cleared areas ten (10) feet in radius, and a shovel and a pressurized fire extinguisher are present at site;**
 - (v) **Propane or open fire branding activities are permitted, if in cleared areas ten (10) feet in radius, and a shovel and pressurized fire extinguisher are present at the site;**
 - (vi) **Internal or external combustion engines including chainsaws, ATV's and motorcycles shall have approved spark arrestors;**
 - (vii) **Use of a chainsaw is permitted, if it has a proper spark arrestor, and a shovel and pressurized fire extinguisher are present at the site; and**

(viii) Discharge of fireworks are 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 or the areas within the incorporated city and towns within Crook County that may be more restrictive.

4. The County Fire Warden shall immediately provide a copy of this Resolution to the **County Sheriff**, 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 **and notify the public through advertisement in each newspaper published in the County, by press release to the Radio and TV stations broadcasting within Crook County, by the Public Alert system, the WYDOT 511 system, County Web Site and any other method that would economically notify the public.**

MADE, DETERMINED AND RESOLVED this 4th day of August, 2010.

BOARD OF COUNTY COMMISSIONERS CROOK COUNTY, WYOMING

John A. Moline, Jr., Chairman, J.W. Hadley, Vice-Chairman, Kelly B. Dennis, Member
State of Wyoming }

County of Crook }

Signed or attested before me on August 4, 2010 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. Jim moved to transfer funds as follows: Pursuant to Wyoming Statutes 16-4-112, notice is given that a Resolution has been proposed to transfer \$6,712.58 from unanticipated revenues to the Emergency Management Budget, Emergency Response Fund, due to receiving Volunteer Fire Dept. Hazmat Spill and Lander Flood Assistance Expenses reimbursement funds. Notice is further given that a hearing of the Board of Crook County Commissioners of Crook County, Wyoming will be held on September 7, 2010 at 8:00 o'clock a.m. to consider such proposed resolution. Kelly seconded, all ayes, motion carried. Jim moved to approve a Grant Award for U.S. Department of Homeland Security (DHS) Federal Emergency Management Agency Grant Programs Directorate FY 2010 Emergency Management Performance Grant (EMPG) between the Wyoming Office of Homeland Security and Crook County. Kelly seconded, all ayes, motion carried. Also present were Joe Baron, County Attorney and Wayne Garman, Supervisor, CCNRD.

Wayne Garman, Supervisor, CCNRD, presented a ballot proposition to put a conservation district tax not to exceed one half (1/2) mil on all property within Crook County on the 2010 General Election Ballot. Jim moved to put the following ballot proposition on the 2010 General Election Ballot:

BALLOT PROPOSITION

CROOK COUNTY NATURAL RESOURCE DISTRICT

SHALL THE CROOK COUNTY COMMISSIONERS IMPOSE A CONSERVATION DISTRICT TAX NOT TO EXCEED ONE HALF (1/2) MIL ON ALL PROPERTY WITHIN CROOK COUNTY FOR THE PURPOSE OF PROVIDING NATURAL RESOURCE PROGRAMS DIRECTED BY THE CROOK COUNTY NATURAL RESOURCE DISTRICT?

IF THIS PROPOSITION IS APPROVED, THE SAME PROPOSITION SHALL BE SUBMITTED AT THE SECOND FOLLOWING GENERAL ELECTION OR BY MAIL BALLOT PURSUANT TO W.S. 22-29-115 AND 22-29-116, AND THEREAFTER AT SUCCEEDING GENERAL ELECTIONS OR BY MAIL BALLOT PURSUANT TO W.S. 22-29-115 AND 22-29-116, EVERY FOUR (4) YEARS UNTIL THE PROPOSITION IS DEFEATED.

FOR THE CONSERVATION DISTRICT TAX

AGAINST THE CONSERVATION DISTRICT TAX

Kelly seconded, all ayes, motion carried.

The meeting adjourned at 3:17 o'clock p.m. to meet in regular session on September 7, 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