

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

TUESDAY, DECEMBER 6, 2011

8:00 o'clock a.m. Present were Chairman James W. Hadley, Vice-Chairman Kelly B. Dennis, Member Jeanne A. Whalen and County Clerk Connie D. Tschetter.

The Pledge of Allegiance was recited to the Flag.

The minutes from the previous meeting were approved.

County Treasurer Mary Kuhl, Clerk of District Court Tina Wood, County Assessor Lisa Fletcher, County Attorney Joe Baron and County Sheriff Steve Stahla were present to go over items of interest within their departments. Also present was County Library Director Jill Mackey.

Jeanne moved to approve the following holidays for 2012:

CROOK COUNTY 2012 HOLIDAYS

January 2	New Year's Day (1 st is on a Sunday)
January 16	Martin Luther King Jr. Day
February 20	Presidents Day
May 28	Memorial Day
July 4	Independence Day
September 3	Labor Day
October 8	Columbus Day
November 12	Veterans Day (11 th is on a Sunday)
November 22	Thanksgiving Day
November 23	Day after Thanksgiving Day
December 24	Christmas Eve
December 25	Christmas Day

Kelly seconded, all ayes, motion carried.

The following bills were paid:

Total Wages		158872.33
<u>CLAIMANT</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
		<u>ALLOWED</u>
AFLAC	Insurance	1643.18
Blue Cross Blue Shield of Wyoming	Health Insurance	48361.73
Col. Life & Accident Ins. Co.	Insurance	48.07
Crook County Payroll Tax Account	Withholding & Social Security	46448.34
Department of Employment	Worker's Compensation	3780.64
NCPERS Wyoming	Life Insurance	176.00
New York Life Insurance Company	Life Insurance	523.59
Orchard Trust Company	Deferred Compensation	2030.00
VSP	Vision Insurance	579.51
Wyoming Retirement System	Retirement	28713.46
Wyoming Educator's Benefit Trust	Life Insurance	192.66
WY Retirement System	Rehired Retiree Contribution	267.01
4-H Foundation	Dues	90.00
A & B Welding Supply Co. Inc.	Saw Blades	181.00
AlSCO/American Linen	Shop Towels & Dust Mops	336.61
AT & T Mobility	Cell Phone	848.41
Barbara J. Coy, RN.	On Call Hours	246.00
Bearlodge LTD., Inc.	Professional Services	600.00
Big Horn Tire Inc.	Tires	2636.63
Black Hills Chemical Co.	Supplies	365.41
Brian Sebade	Mileage & Meals	128.99
Cenex Fleetcard	Fuel	1960.73
Charles Sandefur	Witness Fees & Mileage	230.34
City of Gillette	Water	6.00
City of Sundance	Water, Amb. & Landfill Contributions & Equip. Use	6849.53
Clinical Lab of the Black Hills	Toxicology Screens	350.00
Co Dept of Public Health & Environment	Toxicology Lab	28.00
Cody Ballou	Contract Hauling	1215.00
Coffee Cup Fuel Stop	Fuel	143.54
Collins Communications	Parts & Labor for Video System, Internet & Camera	50422.04
Combined Laboratories Facility	Supplies	144.00
Computer Software Associates, Inc.	Docupro Upgrade	7117.00
Connie D. Tschetter	Mileage	67.71
Cornwell Tools	Parts	206.20
Crescent Electric Supply Company	Lamps	212.85
Croell Redi Mix	Base Course	2938.81
Crook County	Employer Paid Benefits from Grant	1500.13

Crook County Medical Service Dist.	Prisoner Food & Meals	2440.50
Crook County Senior Services	County Funding	3333.34
Crook County Treasurer	Postage	111.71
Custom Auto & Truck	Parts & Labor	1891.68
Dakota Business Center	Contract Base Rate Charge	70.00
Dakota Rental	Parts	76.21
Data Imaging Systems, Inc.	Film Processed, Duplicate Film & Rolls of Film	57.83
Decker's Market	Supplies	71.35
Department of Employment	Worker's Compensation	175.46
Department of Health	Rental State Vehicle	295.00
Double Star Computing	On Site Computer Service, Computer & Monitor	2115.00
Dwande E. LeMay	Headphones & Transcripts	134.99
Farmers Co-op Assoc.	Diesel	3719.74
Galls, An Aramark Company	Patches, Sewing & Battery Pack	97.31
Gari G. Gill	Mileage	315.24
Genpro Power Services, LLC	Labor, Shop Supplies & Parts	1624.41
Glenn Sandefur	Witness Fees	15.00
Grimm's Pump & Industrial Supply	Parts	91.98
Gundy's Repair	2nd Quarter Maintenance Contract	2024.42
Hillside Pharmacy	Supplies	24.69
Impact Services Incorporated	Contract Hauling	900.00
Jack's Truck & Equipment	Parts	422.19
Joseph Michael Baron	Mileage & Supplies	175.15
Kelly B. Dennis	Mileage	119.88
Kimball Midwest	Parts	253.11
Lenzes Printing	Business Cards	201.60
Leo Riley & Co.	Professional Services	6000.00
Leslie's Sinclair	Gas & Diesel	13367.98
Lowe Roofing, Inc.	Crook County Library Roof Project	38025.00
Lyle Signs, Inc.	Signs	608.60
Marlette Snoozy	Supplies & On Call Hours	248.95
Mary R. Kuhl	Meals & Keys	54.09
Matthew Bender & Co., Inc.	WY Court Rules & Statute Books	685.80
Max Robert Masters	Mapping Contract for GIS & Subdivisions	2100.00
Menards-Rapid City	Supplies	79.94
Moorcroft Leader	Advertising	3582.00
Paetec	Telephone	165.02
Paradise Foods	Gas	353.81
Patricia J. Voll, FNP	FP Clinic Hours	315.00
Plastocon, Inc.	Disposable Lids	58.93
Powder River Energy Corp.	Electricity	3939.84
Powder River Office Supply, Inc.	Supplies	160.01
Precision Climate Services, Inc.	Chiller Payment #3 and Labor	23784.90
Quality Agg & Construction	J Base	3290.48
Quality Hardware & Supply	Parts	190.04
Range Telephone Cooperative, Inc.	Telephone	2529.25
RG Trucking	Contract Hauling	3285.00
Ringer Law, P.C.	Court Appointed Attorney Fees	96.00
Robert's Machine & Repair	Parts & Repairs	885.65
RT Communications	Telephone	954.27
Schultz Coal Sales, Inc.	Coal	1270.75
Schutz Foss Architects, PC	Design Services	3285.00
Scott Peterson Motors Inc.	Parts	71.50
Snap-On Tools	Tools	330.10
Sundance Dillon's Hardware	Supplies	370.63
Sundance Equipment Company	Parts	13.00
Sundance State Bank	Direct Deposit Fees	9.62
Sundance Times	Advertising	1281.00
Suzi's Trophies & Awards	Plaque	23.00
Timberline Services Inc.	Contract Hauling	30740.60
Tongue River Communications	Jail Cable	59.00
Top Office Products, Inc.	Copy Charges & Toner	324.36
Tower Valley Ag Supply	Gas & Diesel	3865.17
Town of Hulett	Water	52.50
Tracy Motor Company	Supplies	3912.72
Trudy J. Materl	Postage & Food	18.64
UNUM	Disability Insurance	258.79
Urbin & Patterson, LLP	Court Appointed Attorney Fees	291.60
UW Cooperative Extension Service	Car Pooling	1577.94
Vehicle Lighting Solutions, Inc.	Console & Armrest	368.51

Visa	Supplies & Travel Expenses	5553.95
Walmart Community/GEMB	Supplies	48.00
Wayne Ballou Trucking	Contract Hauling	3780.00
West Payment Center	Subscription Product Charges	250.00
Western Stationers	Supplies	1201.66
WPCI	Random Pool Management & Policy Updates	175.00
Wright Express FSC	Fuel	208.97
WY Retirement System	Rehired Retiree Contributions	1955.41
Wyoming Association of County Ag Agents	Membership Dues	100.00
Wyoming Health Council	Supplies	980.58
Wyoming Machinery Company	Parts	5705.34
Wyoming Peace Officer's Association	Dues	150.00
Wyoming Taxpayers Association	Membership Dues	100.00
Zee Medical Service	Medical Supplies	136.70
Total		564449.84

The following monthly collections were collected:

County Clerk	\$7,720.75
County Sheriff	\$7,604.05
Clerk of District Court	\$2,987.23
Public Health	\$4,433.93

Circuit Court (October) 19,185.54

Jeanne moved to accept the Disclosure Statement for Investment of Public Funds from Lee Hauber. Kelly seconded, all ayes, motion carried.

On January 3, 2012 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 Director, representing Municipalities – Three Year Term
- One Crook County Promotion Board Member – to fill Matt Driskill’s unexpired Three Year Term, which will expire in June 2013.
- One Crook County Predatory Animal Control Board Member, representing Non-Agricultural – Three Year Term
- One Crook County Predatory Animal Control Board Member, representing Sportsmen and Hunters – 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 3, 2012 at 10:30 o'clock a.m.

Mary Kuhl, County Treasurer, submitted the following monthly report of receipts and disbursements for month end November 2011:

Total Receipts		\$4,016,225.00
Disbursements:	Towns	\$127,709.24
	County Boards	\$348,950.58
	State & Local School	\$1,150,463.65
	DOT/DOR/Rebate	\$113,151.62
	Redemption/S. Park	\$3,790.60
	Total	\$1,744,065.69

Kelly moved to approve an Agreement between Crook County and Schutz Foss Architects, P.C., Professional Corporation for the Crook County Elevator Addition Project in the Courthouse. Jeanne seconded, all ayes, motion carried.

The Board approved to meet on Monday and Tuesday, July 2 and July 3, 2012, since the Courthouse will be closed on Wednesday, July 4, 2012, in observance of Independence Day.

Morgan Ellsbury, Road and Bridge Foreman, gave a monthly report.

Kelly moved to approve a Congestion Mitigation/Air Quality (CMAQ) Agreement FY 2011 between the Wyoming Department of Transportation and the Board of Crook County Commissioners, as presented. Jeanne seconded, all ayes, motion carried.

Kelly moved to approve an Agreement for Replacing or Relocating an Existing Cattleguard on County Road No. 202 known as the D Road Connection County Road. Jeanne seconded, all ayes, motion carried.

Adjourned for lunch at 12:05 o'clock p.m.

1:00 o'clock p.m. Present were Chairman James W. Hadley, Vice-Chairman Kelly B. Dennis, Member Jeanne A. Whalen and County Clerk Connie D. Tschetter.

Jill Mackey, Director, County Library, gave a monthly report.

John Osse, Interim CEO, Crook County Medical Services District (CCMSD), introduced Jan Van Beek, the new CEO for the CCMSD. Also present were Joe Baron, County Attorney, Mary Kuhl, County Treasurer and Lisa Fletcher, County Assessor.

Joe Baron, County Attorney/Hearing Officer, Don W. Riske, Riske, Salisbury & Kelly, P.C., Attorney for Applicants, Jim Edwards, Attorney for First Interstate Bank (FIB), as the Trustee of the Leroy F. Schloredt Trust B and Wayne and Ross Garman as affected land owners, Pam McMahon, Court Reporter, Matt Sleep, FIB, Trustee of the Leroy F. Schloredt Trust B, Wayne Garman, Dixie Garman and Ross J. Garman were present for the Board to re-discuss their deliberations, due to a malfunction of the audio recording in the prior deliberations, in the matter of the Application for Establishment of a Private Road from Price Family Trust of May 22, 1995, by and through its Trustee, Ted N. Price, Sr., to be known as Private Road No. 277. An objection has been filed by the Applicant to vacate the entire process, to have an independent hearing officer and to start the deliberations over. Mr. Riske and Mr. Edwards gave their statements on the objection that was filed. The Board stated they want to proceed with the process and deny the objection that was filed. The Board reviewed the Objectors' and Applicant's Proposed Findings of Fact, Conclusions of Law and Order. The Board agrees with the Objectors' facts and findings. The Board will have Joe Baron, County Attorney/Hearing Officer, prepare an Order to deny the Application for Establishment of a Private Road from Price Family Trust of May 22, 1995, by and through its Trustee, Ted N. Price, Sr., to be known as Private Road No. 277.

The meeting adjourned at 3:16 o'clock p.m.

Wednesday, December 7, 2011

8:00 o'clock a.m. Present were Chairman James W. Hadley, Vice-Chairman Kelly B. Dennis, Member Jeanne A. Whalen and County Clerk Connie D. Tschetter.

The Pledge of Allegiance was recited to the Flag.

Warren Oyler, Resident Engineer, Wyoming Department of Transportation (WYDOT), gave an update on bridge and road projects. Also present were Morgan Ellsbury, Road and Bridge Foreman and Mary Kuhl, County Treasurer.

The following monthly collection was collected: Circuit Court (November) \$19,007.10.

Bill Taylor, Interim Crook County Extension Educator and Duane Williams, Associate Director, UWCES, discussed the restructuring of the two 4-H Youth Development positions in the County Extension Office. Jeanne moved to approve a Memorandum of Understanding Between The University of Wyoming and Board of County Commissioners in and for Crook County, Wyoming. Kelly seconded, all ayes, motion carried. Also present were Joe Baron, County Attorney and Mary Kuhl, County Treasurer.

Gari Gill, County Fire Warden/Deputy Homeland Security County Coordinator and Jim Pridgeon, Homeland Security County Coordinator, discussed the Local Emergency Planning Committee (LEPC) and gave a monthly and yearly report. Kelly moved to assign David Schrall as the LEPC Chairman, Jeanne seconded, all ayes, motion carried. Also present were Dave Schrall, EOC Operations Officer and In-Coming LEPC Chair, M. Ross Feeney, LEPC Chairman, SERC Sub-Committee, Chemical Biological and Nuclear Explosive and Joe Baron, County Attorney.

Morgan Ellsbury, Road and Bridge Foreman, gave a monthly report. Also present were Norval G. Waller, Viewer for Bearlodge County Road No. 8, Linda Tokarczyk, Rare Element Resources, Lee Habeck, Betty Haiar, Beulah Civic Committee, Annette Viergets, Beulah Bobcats 4-H, Lance Marshall, Taleen E. Hughes and Joe Baron, County Attorney.

Norval G. Waller, Viewer for Bearlodge County Road No. 8, gave a report pertaining to the matter of Vacating County Road No. 8 known as the Bearlodge County Road. The Viewer's recommendation is to vacate the Bearlodge County Road No. 8. The County Attorney will prepare a resolution for the Board to commence proceedings.

Betty Haiar, Beulah Civic Committee and Annette Viergets, Beulah Bobcats 4-H, requested preapproval from the Board to proceed with the playground equipment at the Beulah Community Building and to make improvements to the grounds. The Board gave their approval.

Adjourned for lunch at 12:23 o'clock p.m.

1:00 o'clock p.m. Present were Chairman James W. Hadley, Vice-Chairman Kelly B. Dennis, Member Jeanne A. Whalen and County Clerk Connie D. Tschetter.

Dennis McGirr and Nels Smith, Members, Crook County Land Use Planning and Zoning Commission (CCLUP&ZC), gave a monthly report and Tim Lyons, Growth and Development Administrator, gave a monthly report and a subdivision and deed report. Also present were Wayne Garman, Supervisor, Crook County Natural Resource District (CCNRD), Steve Kozel, Bearlodge District Ranger, USDA Forest Service, Joe Baron, County Attorney, Linda Tokarczyk, Rare Element Resources, Cindy Larom, Bureau of Reclamation, Brian Sebade, Northeast Area Range, Natural Resources Extension Educator, Bob Gilbert, Supervisor, Crook County Weed and Pest, Hugh Thompson, Black Hills National Forest Advisory Board, Jim Neiman and Bill Coburn, Neiman Enterprises, Inc., Bill Kohlbrand, Wyoming State Forestry, Dee Altick, Mary Altick and Dave Schrall.

Upon the recommendation from the CCLUP&ZC, Kelly moved to give conditional approval subject to the lien holder signing the plat, on an Order Vacating Lot 1, Block 5, Sundance View Estates Minor Subdivision, an Order Approving Re-Subdivision of Minor Subdivision and on the plat for Lot 1, Block 5, Sundance View Estates Minor Subdivision. Jeanne seconded, all ayes, motion carried.

The following people gave an update on items of interest within their departments: Steve Kozel, Bearlodge District Ranger, USDA Forest Service; Brian Sebade, Northeast Area Range, Natural Resources Extension

Educator; Cindy Larom, Bureau of Reclamation; Bob Gilbert, Supervisor, Crook County Weed and Pest and Wayne Garman, Supervisor, CCNRD.

Bill Kohlbrand, Wyoming State Forestry, gave an update on the Pine Bark Beetle Project and presented information on funds available through a Northeast Wyoming Emergency Pine Beetle Response Grant for this project. Bill Coburn and Jim Neiman, Neiman Enterprises, Inc. and Hugh Thompson, Black Hills National Forest Advisory Board, gave input on concerns with the Pine Bark Beetles. The Board will prepare a resolution to ask the Governor for assistance.

The Board presented Linda Tokarczyk a plaque in appreciation for her dedicated fourteen (14) years and seven (7) months of service with the CCLUP&ZC.

Dave Schroll, discussed the CCLUP&ZC Contract Consultant Position that is open. The Board approved to have Dave Schroll be the CCLUP&ZC Contract Consultant, on a trial basis.

Wayne Garman and Sharon Campbell, Members, Crook County Fair Board, gave a monthly report. Also present was Linda Schelldorf, County Fair Coordinator/Secretary.

Lisa Fletcher, County Assessor, presented tax roll cancellations. Jeanne moved to approve the following tax roll cancellations: 2011-30; 2011-31; 2011-32. Kelly seconded, all ayes, motion carried. Also present were Mary Kuhl, County Treasurer, Kathy Gearhart, Clerk, County Treasurer’s Office, Leonard Garcia, County Auditor, Leo Riley & Co. and Tina Wood, Clerk of District Court.

Leonard Garcia, County Auditor, Leo Riley & Co., presented the Crook County Annual Audit Report for the 2010-2011 fiscal year. Jeanne moved to approve the Crook County Annual Audit Report for the 2010-2011 fiscal year. Kelly seconded, all ayes, motion carried. Also present were Mary Kuhl, County Treasurer, Tina Wood, Clerk of District Court, Linda Schelldorf, County Fair Coordinator/Secretary, Lisa Fletcher, County Assessor and Jim Pridgeon, Homeland Security County Coordinator.

Kelly moved to approve the following resolution:

RESOLUTION NO. 2011-18

REQUESTING EMERGENCY DECLARATION FOR MOUNTAIN PINE BARK BEETLE EPIDEMIC

Whereas, conditions of extreme peril to the people, property and environment exist within portions of the Black Hills National Forest, caused by the extraordinary number of dead, dying and diseased trees resulting from overstocked forests and infestation by mountain pine beetles; and

Whereas, the outbreak of the mountain pine beetle epidemic on the South Dakota side of the Black Hills has caused the death of trees on thousands of acres, resulting in conditions of imminent fire danger, potential for flooding, erosion and other environmental and economic damage, and hazards from falling trees; and

Whereas, other national forests in Wyoming, particularly the Medicine Bow, have already been devastated by mountain pine beetle epidemics; and

Whereas, this mountain pine beetle epidemic is already spreading into the Black Hills National Forest within Crook and Weston County, Wyoming and onto private forested lands within Crook County and is already causing a disaster to occur; and

Whereas, the Wyoming Division of State Forestry, the U.S. Forest Service, Crook County Weed and Pest District and private industry have all informed this Board that the most cost effective way to control this disaster is to attack it now; and

Whereas, Crook County is joining with State and Federal Agencies and private entities to control the spread of the mountain pine beetle epidemic it has insufficient resources to prevent the mountain pine beetle epidemic from spreading into Crook County, Wyoming without additional State and Federal assistance; and

Whereas unless the mountain pine beetle epidemic is addressed now and the risks posed by dead and dying trees are immediately reduced, there will be an increasingly great risk to life and property from catastrophic fire in an area with limited routes for the evacuation of people and emergency response within Crook County; and

Whereas, this mountain pine beetle epidemic, while in slow motion, has many of the environmental and economic consequences of catastrophic wildfire which would be declared an emergency; and

Whereas, if the mountain pine beetle epidemic continues unabated it will devastate the forest products industry that is one of the largest private employers in Crook County causing the loss of jobs and a source of income for U.S. Forest Service, Crook County and private landowners;

NOW THEREFORE BE IT RESOLVED, that the Board of County Commissioners in and for Crook County, Wyoming on behalf of the citizens of Crook County, request the Governor of the State of Wyoming to petition the President of the United States to declare Crook County, Wyoming an emergency disaster area.

Motion made, seconded and carried in an open meeting this 7th day of December, 2011

BOARD OF COUNTY COMMISSIONERS IN AND FOR CROOK COUNTY, WYOMING

BY J. W. HADLEY, CHAIRMAN, KELLY B. DENNIS, VICE-CHAIRMAN, JEANNE A. WHALEN, MEMBER
State of Wyoming }

County of Crook }

Signed or attested before me on December 7, 2011 by J. W. Hadley, Chairman, Kelly B. Dennis, Vice-Chairman and Jeanne A. Whalen, Member, Board of Crook County Commissioners.

CONNIE D. TSCHETTER, CROOK COUNTY CLERK

Jeanne seconded, all ayes, motion carried.

The meeting adjourned at 4:30 o’clock p.m. to meet in regular session on January 3 and 4, 2012 at 8:00 o’clock a.m., in the Commissioner’s Room at the Courthouse in Sundance, Wyoming.

James W. Hadley, Chairman

Jeanne A. Whalen, Member

Kelly B. Dennis, Vice-Chairman

Attested: _____

Connie D. Tschetter, County Clerk

