

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

**TUESDAY, DECEMBER 4, 2012**

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.

Kelly moved to approve the following resolution:

**RESOLUTION NO. 2012-21**  
**FISCAL YEAR 2013 BUDGET AMENDMENT**

**WHEREAS** Crook County adopted the Fiscal Year 2013 Budget in accordance with the Wyoming Uniform Fiscal Procedures Act; and

**WHEREAS** the Board of Crook County Commissioners wishes to amend the adopted budget in accordance with the same Act; and

**WHEREAS**, no protests were received regarding such transfer.

**NOW, THEREFORE, BE IT RESOLVED** that the following budget amendments are made.

FROM: Unanticipated Revenues \$23,884.11  
TO: Fire Budget, Skull Creek Fire Line \$23,884.11

Dated this 4<sup>th</sup> day of December, 2012.

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 4, 2012 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.

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

Jeanne moved to approve the following holidays for 2013:

**CROOK COUNTY 2013 HOLIDAYS**

January 1 New Year's Day  
January 21 Martin Luther King Jr. Day  
February 18 Presidents' Day  
May 27 Memorial Day  
July 4 Independence Day  
September 2 Labor Day  
October 14 Columbus Day  
November 11 Veterans Day  
November 28 Thanksgiving Day  
November 29 Day after Thanksgiving Day  
December 24 (½ day) Christmas Eve (Close at 12:00 p.m.)  
December 25 Christmas Day

Kelly seconded, all ayes, motion carried.

The following bills were paid:

Total Wages		159589.18
<u>CLAIMANT</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
		<u>ALLOWED</u>
AFLAC	Insurance	2055.60
Blue Cross Blue Shield of Wyoming	Health Insurance	50752.37
Col. Life & Accident Ins. Co.	Insurance	48.07
Crook County Payroll Tax Account	Withholding & Social Security	46927.91
NCPERS Wyoming	Life Insurance	208.00
New York Life Insurance Company	Life Insurance	502.84
Orchard Trust Company	Deferred Compensation	950.00
VSP	Vision Insurance	623.17
WY Department of Workforce Services	Worker's Compensation	2505.96
Wyoming Retirement System	Retirement	29628.59
Wyoming Educator's Benefit Trust	Life Insurance	192.66
Election Judges	Election Salary, School, Mileage & Meals	10329.32
A & B Welding Supply Co., Inc.	Equipment	431.90
Al Machtan, DBA	Repair Door Controllers	135.00
AlSCO/American Linen	Shop Towels & Dust Mops	205.00
AT & T Mobility	Cell Phone	1214.50

Bearlodge Engineering & Surveying	Work to Date Rd #21, Prints & Survey & Map	6308.50
Beck Consulting	Multi-Hazard Mitigation Plan	6250.00
Bickle Truck & Diesel Service	Repairs	568.77
Big Horn Tire Inc.	Batteries & Tires	1225.62
Black Hills Chemical Co.	Supplies	540.92
Brian Sebade	Mileage	22.20
Campbell County Sheriff's Office	Inmate Housing	150.00
Cenex Fleetcard	Fuel	1790.80
City of Gillette	Water & Disconnect Fee	21.00
City of Sundance	Water & County Funding	7630.64
CLS Services	Jbase	92546.76
Coffee Cup Fuel Stop	Fuel	37.52
Collins Communications	Cameras, Monitors & Wireless Internet	585.40
Consolidated Engineers, Inc.	Professional Fees	10093.74
Crescent Electric Supply Company	Lamps	172.80
Croell Redi-Mix	Cattle Guards	825.00
Crook County	Employer Paid Benefits from Grant	1047.26
Crook County Attorney's Office	Emergency Financial Assistance	1000.00
Crook County Council of County Services	County Funding	1200.00
Crook County Medical Service Dist.	Prisoner Food & Meals	1736.30
Crook County Senior Services	County Funding	1666.67
Crook County Treasurer	Postage	76.24
Dakota Business Center	Contract Base Rate Charges	84.05
Daly, Davidson & Sorenson, LLC	Court Appointed Attorney Fees	207.70
Data Imaging Systems, Inc.	Microfilm Processed	44.79
Decker's Market	Supplies	51.99
Dog Pound Grill	Meals for Election Night	15.00
Double Star Computing	Onsite Computer Service & Battery	753.95
DRM Inc.	Mona Rd Bridge at Beaver Creek Project	11197.89
Electronic Data Solutions	GPS and Accessories	1997.25
Farmer's Co-op Assoc.	Diesel	3100.10
First Northern Bank of Wyoming	Retainage Fee-Mona Rd Bridge at Beaver Crk Project	1632.71
Galls, An Aramark Company	Battery Pack	42.47
Geo Xplore	CMAQ Dust Testing	5000.00
Helen Tenke	Cookies	54.00
Herb Robinson Repair and Towing	Mileage	210.00
Hillside Pharmacy	Supplies	42.66
Hooper Tree Services	Clearing Trees from Roadway	3080.00
Hulett Emergency Medical Services	2nd Quarter Ambulance Funding	666.69
Hulett Hardware	Parts	4.49
Jeanne Whalen	Mileage	88.25
Joseph Michael Baron	Reimbursement for Supplies	54.29
Karen's Delivery Co.	Delivery	11.00
Kelly B. Dennis	Mileage	119.88
Kimball Midwest	Parts	363.91
Kreuter Automotive	Repairs to Fire Truck	1122.40
Leslie's Sinclair	Gas & Diesel	9555.54
Linda S. Fritz	Mileage & Postage	17.95
Lindberg Masonry, Inc.	Masonry Work	6495.00
Lyle Signs, Inc.	Sign Stands & Reflectors	428.30
M & M Sanitation	Toilet Rental	2225.00
M.D. Products, Inc.	Cat Fender Set	1091.92
Matthew Bender & Co., Inc.	WY Court Rules Books	304.16
Max Robert Masters	Mapping Contract for GIS & Subdivisions	2100.00
Merck Sharp & Dohme Corp.	Pneumovax Vials	596.96
Midwest Cancer Screening	Supply Shipping	14.95
Moorcroft Leader	Publishing	1364.00
Motorola Solutions, Inc.	Software for Radios	199.00
Mullinax Coal Sales	Coal	567.63
National District Attorney's Assoc.	NDAA Dues	95.00
Nelson Auto Glass	Door Glass for Blade	149.84
Northern WY Mental Health Center	2nd Quarter County Funding	2500.00
Paetec	Telephone	193.64
Patricia J. Voll, FNP	FP Clinic Hours	175.00
Powder River Energy Corp.	Electricity	4052.22
Powder River Office Supply, Inc.	Supplies	58.94
Quality Agg & Construction, Inc.	Jbase & Rip Rap	113168.65
Quality Hardware & Supply	Parts	18.37

Quill Corporation	Supplies	15.79
Range Telephone Cooperative, Inc.	Telephone	2884.61
RG Trucking	Contract Hauling	11972.31
Ringer Law, P.C.	Court Appointed Attorney Fees	183.00
Scul Construction Service Inc.	Contractor for Elevator Addition	88346.70
SDSMT	Registration Fees	2075.00
Security Insurance Agency Inc.	Annual Premium for Bonds	1350.00
South Dakota LTAP	Registration Fees	140.00
State Lands & Investments	Easement Application	48.00
Sturdevant's Auto Parts	Parts	96.57
Sundance Dillon's Hardware Inc.	Supplies	261.79
Sundance Equipment Company	Adapters	20.52
Sundance State Bank	Direct Deposit Fees	9.48
Sundance Subway	Sandwiches	11.20
Sundance Times	Publishing & Subscription	1504.55
Thos Y. Pickett & Co., Inc.	2013 Valuation Contract-Dec. Installment	1000.00
Tongue River Communications	Jail Cable	177.00
Top Office Products, Inc.	Copy Charges & Supplies	310.17
Tower Valley Ag Supply	Gas & Diesel	5770.42
Town of Hulett	Water	52.50
Town of Moorcroft	Water	52.45
Tracy Motor Company	Supplies	624.70
UNUM	Disability Insurance	263.67
Urbin & Patterson, LLP	Court Appointed Attorney Fees	1513.90
US Post Office	Box Rent	76.00
UW Cooperative Extension Service	Car Pooling	828.66
Visa	Supplies & Travel Expenses	1740.22
W C & P A A	Annual Dues	200.00
Wagon Wheel Investments	Concrete Parking Curbs	120.00
Western States Sheriff's Assoc.	Membership Dues	100.00
Western Stationers	Supplies	69.49
Wex Bank	Fuel	108.40
White's Queen City	Repairs to 08 Chevy	283.16
Wild West Espresso	Food	14.25
Wishbone Fencing Company	Fence on Wagner RD #160	2892.50
WPCI	Drug Screen & Data Review	28.50
WY Department of Transportation	Project Expenditures	387.94
WY Department of Workforce Services	Worker's Compensation	263.73
WY Retirement System	Rehired Retiree Contributions	1281.14
Wyoming Gal Program	Guardian Ad Litem Fees	1405.19
Wyoming Law Enforcement Academy	Registration Fees	300.00
Wyoming Machinery Company	Motor Grader	199487.00
Wyoming Taxpayers Association	Dues	100.00
Total		945484.26

The following monthly collections were collected:

County Clerk	\$7,813.00
County Sheriff	\$8,951.50
Clerk of District Court	\$1,158.40
Public Health	\$5,842.17
Circuit Court	\$18,014.00

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

Kelly moved to approve a Contract with Independent Contractor for Services and or Materials between Thos. Y. Pickett & Co., Inc. and Crook County Assessor, Lisa Fletcher. Jeanne seconded, all ayes, motion carried.

Jeanne moved to approve the following tax roll rebate, addition and cancellation: 2007-336; 2012-18 and 2012-19. Kelly seconded, all ayes, motion carried.

Jeanne moved to approve a Grant Award Agreement between the Wyoming Office of Homeland Security and Crook County for Project ID 12-GPD-CRO-EM-GCF12. Kelly seconded, all ayes, motion carried.

On January 2, 2013 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 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 2, 2013 at 10:30 o'clock a.m.

On January 2, 2013 at 10:30 o'clock a.m. the Board will make the following Board appointments:

- One Crook County Weed and Pest Director, Area 2 – Four Year Term
- One Crook County Weed and Pest Director, Area 3 – Four Year Term
- One Crook County Weed and Pest Director, Area 4 – Four Year Term

A district board member must be a qualified elector (registered voter and bonafide resident) of the board member area he/she is to represent, but he/she is not required to be a landowner. Prior to appointment, the nominee for Director shall submit a petition signed by at least ten (10) landowners to the Office of Crook County Commissioners at least five (5) days before the date of the meeting. All interested parties are encouraged to apply. Petitions can be obtained from the Crook County Clerk's Office, P.O. Box 37, Sundance, WY 82729, 307-283-1323. All petitions must be submitted to the County Clerk by or before December 28, 2012 at 5:00 o'clock p.m.

Jeanne moved to appoint the following:

- Dallas L. Rolf - Crook County Predatory Animal Control Board Member representing Sportsmen and Hunters – Three Year Term

Kelly seconded, all ayes, motion carried.

Morgan Ellsbury, Road and Bridge Foreman and Randy Gill, Facilities Maintenance Foreman, gave a monthly report.

The meeting adjourned at 12:09 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.

Susan Rice, Aladdin Homemakers, requested permission for the Aladdin Homemakers to dispose of the kitchen cabinets and two old propane cookstoves in the Aladdin Community Building. Discussion was held and Kelly moved to approve for the Aladdin Homemakers to dispose of the kitchen cabinets and the two propane cookstoves as the Aladdin Homemakers see fit. Jeanne seconded, all ayes, motion carried.

Mary Kuhl, County Treasurer, submitted the following monthly report of receipts and disbursements for month end November 2012:

Total Receipts		\$4,998,456.63
Disbursements:	Towns	\$171,838.66
	County Boards	\$243,350.93
	State & Local School	\$1,146,190.74
	DOT/DOR/Rebate	\$111,973.46
	Redemption/S. Park	\$1,067.15
	Total	\$1,674,420.94

At 2:00 o'clock p.m. the Board met as the Crook County Board of Equalization. At 2:06 o'clock p.m. the Board went back into regular session.

Jeanne moved to approve a Cooperative Forest Road Agreement 13-RO-11020300-005 Between Crook County Commissioners Crook County, Wyoming and the USDA, Forest Service Region 2, Black Hills National Forest. Kelly seconded, all ayes, motion carried.

Joe Baron, County Attorney, Morgan Ellsbury, Road and Bridge Foreman and Tim Lyons, Growth and Development Administrator, discussed the Forest Service FERTA Easement request. The Board agreed to proceed with public hearings to gather input on which roads through the Black Hills National Forest should become or remain as County Roads. Also present was Ogden Driskill, Wyoming State Senator.

The meeting adjourned at 3:30 o'clock p.m.

Wednesday, December 5, 2012

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 was Morgan Ellsbury, Road and Bridge Foreman.

Joe Baron, County Attorney, was present for the public hearing for the Board to discuss whether or not to suspend Richard A. Nelson dba Fort Devils Tower's County Retail Liquor License, due to his failure to pay sales tax to the State of Wyoming. The County Attorney presented Exhibits No. 1, 2, 3, 4 and 5 and the Board accepted them into the record. Kelly moved to accept and sign the Order Suspending Liquor License prepared for this case. Jeanne seconded, all ayes, motion carried.

The Board discussed the County Surveyor position with Ralph Goodson, Bearlodge Engineering and Surveying. Kelly moved to appoint Ralph W. Goodson as the Crook County Surveyor for 2013 and to approve the Bond for Ralph W. Goodson, Crook County Surveyor. Jeanne seconded, all ayes, motion carried. Also present was Joe Baron, County Attorney.

Gari Gill, County Fire Warden and Jim Pridgeon, Homeland Security County Coordinator, gave a monthly report.

Morgan Ellsbury, Road and Bridge Foreman and Randy Gill, Facilities Maintenance Foreman, gave a monthly report. Also present were Wally Lyons, Elizabeth Lyons, Randy Beckman, Mike Dirks, Pam Beckman, Bill Dirks and Joe Baron, County Attorney. Discussion was held on a request from Wally Lyons and Elizabeth Lyons to redevelop River County Road No. 278. The County denied redeveloping this unmaintained County Road.

Adjourned for lunch at 11:50 o'clock a.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, Member, Crook County Land Use Planning and Zoning Commission (CCLUP&ZC), gave a monthly report. Tim Lyons, Growth and Development Administrator, gave a monthly report and a subdivision and deed report. Also present were Joe Baron, County Attorney, Linda Tokarczyk, Rare Element Resources, Angela Wetz, Michael Wheeler and Megan Chapman, National Park Service, Elizabeth Krueger, USDA Forest Service, Wayne Garman, Supervisor and Sarah Anderson, Office Manager, Crook County Natural Resource District (CCNRD), Cindy Larom, Bureau of Reclamation (per conference call), Brian Sebade, NE Area Range and Natural Resources Extension Educator, Bob Gilbert, Crook County Weed and Pest, Lance Marshall, Jeff Smith, Morgan Ellsbury, Road and Bridge Foreman and Jeff Moore, Coates Field Service with ONEOK. The following people gave an update on items of interest within their departments: Cindy Larom, Bureau of Reclamation; Elizabeth Krueger, USDA Forest Service; Bob Gilbert, Crook County Weed and Pest; Angela Wetz, National Park Service; Brian Sebade, NE Area Range and Natural Resources Extension Educator; Linda Tokarczyk, Rare Element Resources; Jeff Moore, Coates Field Service with ONEOK and Wayne Garman, Supervisor and Sarah Anderson, Office Manager, CCNRD.

Wayne Garman, Member, Crook County Fair Board and Linda Schelldorf, County Fair Coordinator/Secretary, gave a monthly report. Also present was Teresa Fordyce.

Kelly moved to send a comment letter to WYDOT on the Rupe Hill Environmental Assessment. Jeanne seconded, all ayes, motion carried.

Becky Tinsley, Public Health Nurse Manager, gave an update and introduced Randy Bury, the new Public Health Response Coordinator (PHRC). Also present were Gari Gill, County Fire Warden and Jim Pridgeon, Homeland Security County Coordinator.

Joe Baron, County Attorney, Pam McMahon, Court Reporter, Bill Kunerth, Willie Kunerth, Jim Osloond, Jay Tope, Wilma Tope, Max Main, Attorney and Wayne Wilson, Attorney were present for the public hearing in the matter of the Application for Establishment of Private Road by Jay H. Tope and Wilma J. Tope, husband and wife, Mildred Tope, individually and as Trustee of the Robert Tope Revocable Trust dated December 18, 1996 and of the Mildred Tope Revocable Trust dated December 18, 1996, to be known as Private Road No. 279, to determine whether or not the Application complies with W.S. 24-9-101 (a), whether or not Temporary Access should be granted to the Applicant, the amount of bond to cover the costs of the Application for a Private Road and the scheduling of future hearings will be discussed and set. The public hearing was opened at 3:33 o'clock p.m. and Chairman Hadley appointed Joe Baron, County Attorney as the Hearing Officer. Introductions were made. Gary Dungey was not present. Osloond Exhibit No. 1 was presented and accepted. The Parties agreed that the application complies with WY ST 24-9-101(a). The Parties agreed that the Commissioners did not need to Order Temporary Access at this time. The Applicants will post Bond in the amount of \$5,000.00 to cover the costs of the Application for the Private Road. The Parties determined that the Hearing to determine whether or not the Applicant's property has legal access will be set for March 5, 2013 at 2:00 o'clock p.m. No objections were received for Joe Baron, County Attorney, to be the Hearing Officer in this matter. The hearing was closed at 4:20 o'clock p.m.

Jeanne moved to give Chairman Hadley the authority to sign the Order Upon the Private Road No. 279 that will be prepared by the Hearing Officer. Kelly seconded, all ayes, motion carried.

The meeting adjourned at 4:25 o'clock p.m. to meet in regular session on January 2 and 3, 2013 at 8:00 o'clock a.m., in the Commissioner's Room at the Courthouse in Sundance, Wyoming.

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James W. Hadley, Chairman

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Jeanne A. Whalen, Member

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Kelly B. Dennis, Vice-Chairman

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Attested:  
Connie D. Tschetter, County Clerk