

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

**TUESDAY, JANUARY 3, 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.

Kelly moved to approve James W. Hadley as Chairman and Kelly B. Dennis as Vice-Chairman of the Board of Crook County Commissioners. Jeanne seconded, all ayes, motion carried.

The minutes from the previous meeting were approved.

Kelly moved to approve the following:

- Official depositories for the County 2012:
- Sundance State Bank-Sundance, Wyoming
- Pinnacle Bank-Moorcroft, Wyoming
- Summit National Bank-Hulett, Wyoming
- Wyo-star Investment pool (through Wyoming State Treasurer at Cheyenne, WY)

Authorize Mary Kuhl, County Treasurer to invest the County funds according to Wyoming Statutes and reaffirm Resolution 8-1996 Statement of Investment Policy for Crook County.

Authorize acceptance of negotiable paper as stated in Wyoming Statutes 18-3-505 and allow the lender credit card.

Appoint Chairman Jim Hadley, in his absence Vice-Chairman Kelly Dennis or Member Jeanne Whalen, as Crook County's voting member of the Wyoming County Commissioners' Association.

Appoint Jeanne Whalen as Crook County Volunteer Firefighters Association Advisory Board Member.

Appoint Jim Hadley as the Crook County Employer Representative with Western Pathology Consultants, Inc.

Jeanne seconded, all ayes, motion carried.

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 a Grant Award Agreement Project ID 11-GPD-CRO-LS-HLE11 between the Wyoming Office of Homeland Security and Crook County. Kelly seconded, all ayes, motion carried.

The following bills were paid:

<u>CLAIMANT</u>	<u>PURPOSE</u>	<u>AMOUNT</u> <u>ALLOWED</u>
Total Wages		156963.86
AFLAC	Insurance	1586.50
Blue Cross Blue Shield of Wyoming	Health Insurance	50269.90
Col. Life & Accident Ins. Co.	Insurance	48.07
Crook County Payroll Tax Account	Withholding & Social Security	46703.03
Department of Employment	Worker's Compensation	3797.65
NCPERS Wyoming	Life Insurance	192.00
New York Life Insurance Company	Life Insurance	523.59
Orchard Trust Company	Deferred Compensation	2070.00
VSP	Vision Insurance	653.42
Wyoming Retirement System	Retirement	28856.94
Wyoming Educator's Benefit Trust	Life Insurance	196.04
AlSCO/American Linen	Shop Towels & Dust Mops	253.64
American Solutions for Business	W-2 & 1099 Forms & Envelopes	67.02
AT & T Mobility	Cell Phone	868.63
Barbara J. Coy, RN.	On Call Hours	246.00
Basic Energy Services, LP	Gravel	1245.09
Batteries Plus-076	Battery Pack	80.00
Big Horn Tire Inc.	Tires	1946.84
Black Hills Chemical Co.	Supplies	176.81
Bullberry Systems, Inc.	Software Maintenance	1500.00
Cenex Fleetcard	Fuel	2043.37
City of Gillette	Water	6.00
City of Sundance	Water	661.68
Collins Communications	Rack Mount	882.25
Computer Software Associates, Inc.	Progress Support Services	374.06

Cornwell Tools	Parts	90.12
Croell Redi Mix	Base Course	113.35
Crook County	Employer Paid Benefits from Grant	527.97
Crook County Medical Service Dist.	Prisoner Food & Meals	3782.27
Crook County Senior Services	County Funding	1666.67
Crook County Treasurer	Postage	1338.64
Custom Auto & Truck	Parts & Labor	888.07
Dakota Business Center	Contract Base Rate Charge	70.00
Dakota Rental	Parts	6.63
Daly, Davidson & Sorenson, LLC	Court Appointed Attorney Fees	319.66
Decker's Market	Supplies	24.59
Dell Marketing LP	2 Computers	2146.48
Department of Employment	Worker's Compensation	108.97
Department of Health	Rental State Vehicle	295.00
Div of Alamo Sales Corp	12 Snow Plow Cutting Edges	3490.67
Double Star Computing	On Site Computer Service	692.95
Douglas Lundborg	Boot Allowance	75.00
Gari G. Gill	Snow Removal at Fire Cache	67.50
Great North American Companies	500 Checkbook Calendars	1245.84
Hillside Pharmacy	Supplies	45.02
Home Inventory, LLC	Supplies	76.00
Hulett Hardware	Parts	21.04
Integrity Ford	Parts & Repairs	3396.58
Jacks' Truck & Equipment	Parts	395.31
Janet M. Lake	Registration & Meals	169.40
Jeanne Whalen	Mileage	87.69
Jim Maupin	Contract Hauling	2835.00
Kelly B. Dennis	Mileage	119.88
Keyhole Ranch Inc.	Fill Dirt	800.00
Kimball Midwest	Parts	316.76
Krames Staywell, LLC	First Aid/CPR/AED Manuals	457.20
Lab Safety Supply	Supplies	230.51
Leo Riley & Co.	Audit	7000.00
Leslie's Sinclair	Gas & Diesel	8516.95
Lowe Roofing, Inc.	Crook County Library Roof Project	4225.00
Lyle Signs, Inc.	Signs	215.03
Marlette Snoozy	On Call Hours	246.00
Matthew Bender & Co., Inc.	Law Manuals	184.60
Max Robert Masters	Mapping Contract for GIS & Subdivisions	2100.00
McKesson Medical Surgical	Test Kit	85.75
Midwest Cancer Screening	Pap Smears	79.00
Movin' On Kennels	Dog Food	76.42
NADA Appraisal Guide	Title & Registration Textbook	172.00
Neve's Uniforms & Equipment	Pants & Shirts	232.82
Northern WY Mental Health Center	County Funding-1st and 2nd Quarter	5000.00
Paradise Foods	Gas	155.72
Peggy Turbiville	Sewing	40.00
Pitney Bowes	Term Rental Charges	465.00
Plainsman Printing, Inc.	Labels	78.58
Powder River Energy Corp.	Electricity	3578.04
Powder River Office Supply, Inc.	Supplies	857.29
Quality Agg & Construction	J Base, Rip Rap, Gravel & Contract Labor	7406.30
Quality Hardware & Supply	Parts	40.50
Quill Corporation	Desk Pads	53.91
Randy Gill	Mileage	438.45
Range Telephone Cooperative, Inc.	E911 Telephone	285.67
RG Trucking	Contract Hauling	8865.00
Robert's Machine & Repair	Parts & Repairs	188.15
RT Communications	Telephone	695.64
S & S Trucking, Inc.	Contract Hauling	3240.00
Sand Creek Trading Post LLC	Fuel	20.56
Sanofi Pasteur, Inc.	Vaccines	6079.10
Sarah E. Crawford	Mileage	67.71
Schultz Coal Sales, Inc.	Coal	1207.50
Scott Peterson Motors Inc.	Parts	41.78
Security Insurance Agency Inc.	Bonds	1350.00
Sheehan Mack Sales & Equipment	Parts	407.86
Steve J. Stahla	Reimbursement for Post Office Box Rent	76.00
Sundance Appliance	Labor	50.00

Sundance Dillon's Hardware	Supplies	175.84
Sundance State Bank	Direct Deposit Fees	9.62
Sundance Times	Advertising & Publishing	1640.00
Timberline Services Inc.	Contract Hauling	16200.00
TMS South	Parts	43.55
Todd Leimser	Boot Allowance	75.00
Todd McInerney	Crane Service	150.00
Tongue River Communications	Jail Cable	59.00
Tony Maddox	Snow Removal	148.00
Top Office Products, Inc.	Copy Charges, Toner, Printer & Supplies	2581.34
Tower Valley Ag Supply	Gas & Diesel	7304.20
Town of Hulett	Water & Landfill Funding	1052.50
Town of Moorcroft	Water	79.22
Town of Pine Haven	1st & 2nd Quarter Ambulance Funding	1333.38
Tracy Motor Company	Supplies	1705.68
UNUM	Disability Insurance	258.79
Urbin & Patterson, LLP	Court Appointed Attorney Fees	897.32
Visa	Supplies & Travel Expenses	1318.56
WC & PAA	Dues	200.00
Western Stationers	Supplies	747.42
Wild West Espresso	Meals for Meeting	18.25
Windstream Accounts Payable	Telephone	176.28
Wright Express FSC	Fuel	228.79
WY Retirement System	Rehired Retiree Contributions	1823.19
Wyoming County Commissioners Association	Registration	75.00
Wyoming Machinery Company	Parts	1055.50
Wyoming Sheriff's Association	Membership Dues	300.00
Total		431591.92

The following monthly collections were collected:

County Clerk	\$8,187.50
County Sheriff	\$8,738.18
Clerk of District Court	\$2,471.48
Public Health	\$1,825.86

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

Total Receipts		\$2,801,351.03
Disbursements:	Towns	\$144,550.94
	County Boards	\$435,781.96
	State & Local School	\$2,198,665.96
	DOT/DOR/Rebate	\$130,475.05
	Redemption/S. Park	\$2,984.85
	Total	\$2,912,458.76

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

Joe Baron, County Attorney, discussed a Draft Policy on Funding Not For Profit Organizations. Also present were Gari Gill, County Fire Warden/Deputy Homeland Security County Coordinator, Jim Pridgeon, Homeland Security County Coordinator and Steve Stahla, County Sheriff.

Jeanne moved to appoint Lee Jay as a Crook County Fair Board Member – Five Year Term. Kelly seconded, all ayes, motion carried.

Kelly moved to appoint the following:

- Michael L. Smith-Crook County Predatory Animal Control Board Member, representing Non-Agricultural – Three Year Term
- Miles Shoun-Crook County Predatory Animal Control Board Member, representing Sportsmen/Hunter – Three Year Term

Jeanne seconded, all ayes, motion carried.

Jeanne moved to appoint Noel A. Belcher as a Northeast Wyoming Economic Development Coalition Director, representing Municipalities – Three Year Term. Kelly seconded, all ayes, motion carried.

Jeanne moved to approve a Grant Award Agreement Project ID 11-GPD-CRO-SC-HSG11 between the Wyoming Office of Homeland Security and Crook County. Kelly seconded, all ayes, motion carried.

Morgan Ellsbury, Road and Bridge Foreman and Randy Gill, Facilities Maintenance Foreman, gave a monthly report. Also present were Randy Gantz, Richard Gantz and Katie Allen, Road and Bridge Secretary. The Board received and opened the bids for Hauling and Construction Equipment Contractors for the 2012 calendar year from the following: Basic Energy Services; Ballou Trucking; D&B Garman Trucking LLC; Tri-City Excavation, Inc.; Earth Work Solutions; Gantz Backhoe Service, Inc.; Waters Enterprises LLC; Windcreek Services, Inc.; D/S

Trucking LLC; Timberline Services, Inc.; Quality Agg & Construction, Inc.; Cody Ballou; RG Trucking; KC Transport, Inc. No action was taken at this time.

Adjourned for lunch at 12:04 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.

Jeanne moved to approve a Policy on Funding Not For Profit Organizations. Kelly seconded, all ayes, motion carried.

The Board, Joe Baron, County Attorney and Morgan Ellsbury, Road and Bridge Foreman, discussed the County and Forest Service Jurisdictional Road Project.

Tina Wood, Clerk of District Court/Advisory Board Member of the Council of County Services (CCS), Carolyn Marchant, CCS and Joe Baron, County Attorney, discussed appointing Board Members to the CCS with staggered terms, starting in June 2013. The Board approved for the CCS to proceed with the process to set up staggered terms for the Board Members.

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

Wednesday, January 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.

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.

Jeanne moved to approve an Amended Policy On Funding Not For Profit Organization amending the Policy dated January 3, 2012. Kelly seconded, all ayes, motion carried.

Gari Gill, County Fire Warden/Deputy Homeland Security County Coordinator and Jim Pridgeon, Homeland Security County Coordinator, gave a monthly report. 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 a total of \$6,277.00 from unanticipated revenues, to the Federal Grant Budget, \$6,079.10 to the Safer Grant FY 2012 Grant line and \$197.90 to the Wyoming State Forestry VFA Grant 2011 Grant 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 February 7, 2012 at 8:00 o'clock a.m. to consider such proposed resolution. Jeanne seconded, all ayes, motion carried.

Morgan Ellsbury, Road and Bridge Foreman, gave a monthly report. Also present were Joe Baron, County Attorney, Lee Habeck, Brett Wharton (per conference call) and Suzanne Eaton Wharton (per conference call).

Kelly moved to approve for Morgan Ellsbury, Road and Bridge Foreman, to use the bids received for Hauling and Construction Equipment Contractors for the 2012 calendar year, on an as needed basis. Jeanne seconded, all ayes, motion carried.

Discussion was held on obtaining a survey on Bearlodge County Road No. 8.

Brett Wharton and Suzanne Eaton Wharton, requested maintenance and requested for the unmaintained portion of the Lane Jones County Road No. 148 and the Currie County Road No. 183 to become maintained. The Board did not approve their request but will allow for the Road and Bridge Foreman to put warning signs on the roads.

Discussion was held on clarifying the status of Humphrey County Road No. 223 (#100 & #115). Kelly moved to approve the following resolution:

RESOLUTION NO. 2012-1  
CLARIFYING THE STATUS OF COUNTY ROAD NUMBER 223  
KNOWN AS THE HUMPHREY ROAD

WHEREAS, County Road No. 223, known as the Humphrey Road, is actual made up of the southern end of County Road No. 100, known as the Warren's Peak Road, and a portion of the County Road No. 15, known as Canon Road;

WHEREAS, the portion of the County Road No. 223 lying Section 9 and 10 in Township 51 North, Range 63 West of the 6<sup>th</sup> P.M. that is actually a part of County Road No. 100 shown on Old Plat 124 now at Rod 14 Map 952-953 has never been vacated;

WHEREAS, the portion of the County Road No. 223 lying in the SW1/4 of Section 10 in Township 51 North, Range 63 West of the 6<sup>th</sup> P.M. that is actually a part of County Road No. 15 shown on Old Plat 109 now at Rod 12 Map 901 has never been vacated;

WHEREAS, the County Road Map Book caused confusion wherein it indicated that County Road No. 223 was vacated in 1967 based upon Book 7 of Commissioner Proceedings Page 342 that was later

determined in 1997 at Book 9 of Commissioner Proceedings Page 262 to be invalid because the process of vacating the route in 1967 was found not to comply with W.S. 24-3-101 et seq.; and

WHEREAS County Road No. 15 was Re-Established and the County Road Map Book was never made to reflect the determination that the County Road No. 15 was not legally vacated in 1967.

THEREFORE BE IT RESOLVED by the Board of County Commissioners in and for Crook County, Wyoming, that County Road No. 223 known as the Humphrey Road from the paved Sundance-Warren Peak County Road No. 208 to Longabaugh Road in the Sundance West Subdivision lying in the E1/2E1/2 of Section 9 and the SW1/4 of Section 10 Township 51 North, Range 63 West of the 6<sup>th</sup> P.M is County Road No. 223 as shown on the survey maps set forth above; and the County Clerk is ordered to change the County Road Map Book to so indicate.

**MADE, DETERMINED AND RESOLVED** on January 4, 2012.

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

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 January 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.

Discussion was held on Wes Tabor County Road No. 95. Jeanne moved to approve the following resolution:

**RESOLUTION NO. 2012-2**

**IDENTIFYING COUNTY ROADS AND VACATING**

**THE UNUSED AND UNIDENTIFIED PORTIONS OF COUNTY ROADS IN A PORTION OF TOWNSHIP 55 NORTH, RANGE 64 WEST OF THE 6<sup>th</sup> P.M.**

WHEREAS Resolution No. 2011-17 was passed on November 2, 2011 that proceedings be commenced to determine whether or not to vacate those portions of the county roads located in the S1/2 and S1/2N1/2 of Section 20 and all of Section 21, 27, 28, and 29 located in Township 55 North, Range 64 West of the 6<sup>th</sup> P.M. that are generally located northeast of Hulett, Wyoming under the identification procedure contained in W.S. 24-3-201 through 24-3-206; and

WHEREAS the following county roads exist in the above described portion of Township 55 North, Range 64 West of the 6<sup>th</sup> P.M.:

County Road No. 95 known as Wes Tabor County Road No. 95 to be now known as the RIVER COUNTY ROAD NO. 95 where it currently exists and was more specifically described in the Crook County Clerk's Office in Sundance, Wyoming, at Instrument No. 615955 Rod No. 25 Map No. 1482;

WHEREAS Wyoming Statute 24-3-201, Et seq., Identification of county roads allows for the vacation of County Roads that are not currently identified and maintained;

WHEREAS the Notice of Identification together with a map identifying the county roads was published for four (4) consecutive weeks in newspapers of general circulation within Crook County, the Wyoming Pioneer on November 24, 2011 and December 1, 8, and 15, 2011 and the Sundance Times on December 1, 2011;

WHEREAS only one objection was filed with the County Clerk or claims for damages were filed with the Crook County Clerk by January 3, 2011 at noon; and

WHEREAS Kenny and Dana Ingalls objected to changes on the Holmes County Road and there are no changes being made to the Holmes road except as set forth on the Map of Survey at Instrument No. 615955 Rod No. 25 Map No. 1482;

THEREFORE BE IT RESOLVED that portions of the county roads located in the S1/2 and S1/2N1/2 of Section 20 and all of Section 21, 27, 28, and 29 located in Township 55 North, Range 64 West of the 6<sup>th</sup> P.M. that are generally located northeast of Hulett, Wyoming not set forth above and shown on the Map identifying the county roads are hereby vacated pursuant to the identification procedure contained in W.S. 24-3-201 through 24-3-206, and the roads identified as referred to above and shown on the Map as county roads are declared, altered and established as county roads.

IT IS FURTHER ORDERED and that the County Clerk shall identify all of the county roads as set forth in this Resolution in the County Road Map Book and Highway Index, and record this Resolution and the Map in the land records pursuant to W.S. 24-3-118 (d).

**MADE, DETERMINED AND RESOLVED** on January 4, 2012.

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

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 January 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

Kelly seconded, all ayes, motion carried.

Adjourned for lunch at 12:10 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 and Sarah Anderson,

Office Manager, Crook County Natural Resource District (CCNRD), Steve Kozel, Bearlodge District Ranger, USDA Forest Service, Joe Baron, County Attorney, Brian Sebade, Northeast Area Range, Natural Resources Extension Educator, Dorothy FireCloud and Nancy Stimson, Devils Tower National Monument and Bob Gilbert, Supervisor, Crook County Weed and Pest. The following people gave an update on items of interest within their departments: Brian Sebade, Northeast Area Range, Natural Resources Extension Educator; Wayne Garman, Supervisor and Sarah Anderson, Office Manager, CCNRD; Bob Gilbert, Supervisor, Crook County Weed and Pest; Dorothy FireCloud and Nancy Stimson, Devils Tower National Monument and Steve Kozel, Bearlodge District Ranger, USDA Forest Service.

Wayne Garman, Member, Crook County Fair Board, gave a monthly report. Also present were Joe Baron, County Attorney, Mary Kuhl, County Treasurer, Lisa Fletcher, County Assessor and Bob Gilbert, Supervisor, Crook County Weed and Pest.

Lisa Fletcher, County Assessor, presented a tax roll addition and a cancellation. Jeanne moved to approve the following tax roll addition and cancellation: 2009-198 and 2011-33. Kelly seconded, all ayes, motion carried. Also present was Mary Kuhl, County Treasurer.

Joe Baron, County Attorney, Morgan Ellsbury, Road and Bridge Foreman, Jim Pridgeon, Homeland Security County Coordinator, Dennis McGirr, Member, CCLUP&ZC, Tim Lyons, Growth and Development Administrator, Bob Gilbert, Supervisor, Crook County Weed and Pest, Wayne Garman, Supervisor, CCNRD and Tom Adams, County Undersheriff were present to discuss the ONEOK Pipeline impact to the County.

Joe Baron, County Attorney and Ralph Goodson, Bearlodge Ltd., Inc., discussed what the process would be if the County were to survey all of the improved county roads.

The meeting adjourned at 3:47 o'clock p.m. to meet in regular session on February 7 and 8, 2012 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

Attested: \_\_\_\_\_

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Connie D. Tschetter, County Clerk