

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

**TUESDAY, DECEMBER 3, 2013**

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.

Tom Adams, County Undersheriff, Joe Baron, County Attorney and Lisa Fletcher, County Assessor were present to go over items of interest within their departments. Also present was Jill Mackey, County Library Director.

Kelly moved to approve the following holidays for 2014:

**CROOK COUNTY 2014 HOLIDAYS**

January 1	New Year's Day
January 20	Martin Luther King Jr. Day
February 17	Presidents' Day
May 26	Memorial Day
July 4	Independence Day
September 1	Labor Day
October 13	Columbus Day
November 11	Veterans Day
November 27	Thanksgiving Day
November 28	Day after Thanksgiving Day
December 24 (½ day)	Christmas Eve (Close at 12:00 p.m.)
December 25	Christmas Day

Jeanne seconded, all ayes, motion carried.

Jeanne moved to continue the hearing to consider rescinding the Order that Butte Pipeline provided to Mr. Ellsbury granted in 1955 to March 5, 2014 at 10:00 o'clock a.m. Kelly seconded, all ayes, motion carried.

The following bills were paid:

Total Wages		157822.34
<u>CLAIMANT</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
		<u>ALLOWED</u>
AFLAC	Insurance	1784.28
Blue Cross Blue Shield of Wyoming	Health Insurance	51538.15
Col. Life & Accident Ins. Co.	Insurance	48.07
Crook County Payroll Tax Account	Withholding & Social Security	51430.39
Great-West Trust Company, LLC	Deferred Compensation	800.00
NCPERS Wyoming	Life Insurance	208.00
New York Life Insurance Company	Life Insurance	509.40
VSP	Vision Insurance	621.96
WY Department of Workforce Services	Worker's Compensation	2188.65
Wyoming Retirement System	Retirement	30896.96
Wyoming Educator's Benefit Trust	Life Insurance	185.90
State Lands & Investments	State Easement for Co. Road No. 129	140.40
A & B Welding Supply Co., Inc.	Service Repair	50.90
AlSCO/American Linen	Shop Towels & Dust Mops	332.52
Animal Medical Center of Wyoming, LLC	K-9 Vet Bill	376.76
AT & T Mobility	Cell Phone	1239.64
Aulick Leasing Corporation	Gravel Hauling	13902.85
Big Horn Tire Inc.	Tires	3362.97
Billie & Karen Barton	Purchase of Lots in Railroad Addition-Sundance	257.81
Capital I Industries	Cooler Core	1566.50
Cardinal Health 411, Inc.	Medical Supplies	1931.80
Cenex Fleetcard	Gas	3641.99
Christina R. Wood	Waco Door Prize	50.00
City of Gillette	Water	6.00
City of Sundance	Water	921.55
CNA Surety	Notary	100.00
Coffee Cup Fuel Stop	Fuel	478.15
Combined Laboratories Facility	Testing	56.00
Contractors Supply Inc.	Safety Vests, Hard Hat Liner & Parts	438.96
Croell Redi-Mix	Road Base & Cattle Guards	2484.70
Crook County	Employer Paid Benefits from Grants	1128.27
Crook County Medical Service Dist.	Drug/Alcohol Screen, Prisoner Meals & Food	3690.39
Crook County Senior Services	County Funding	1666.67
Crook County Treasurer	Postage	59.60

Custom Auto & Truck	Parts & Labor	875.01
Dakota Business Center	Base Rate Charge & Contract Base Rate	160.80
Dione Moon	CPR Cards	50.00
Donna's Diner II	Food for Bee Truck Wreck	148.40
Double Star Computing	Onsite Computer Service & Equipment	944.90
Fence Tech Services, LLC	4 Wire, Brace & Corner	6151.00
Fire Zone 25	Reimburse Fire Zone 25 for Fire Equipment	1199.53
Gearhart Fuel & Repair, Inc.	Gas & Diesel	9179.91
Glaxosmithkline	Supplies	665.10
Godfrey Brake Service & Supply	Parts	347.46
Grimm's Pump & Industrial Supply	Graco Apex Oil Transfer & Air Compressor Pump	857.12
Heartland Paper Company	Courthouse Supplies	316.80
Hillside Pharmacy	Supplies	68.14
Jack's Truck & Equipment	Repairs & Parts	292.53
Jeanne Whalen	Mileage & Travel Expenses	250.30
Jeffrey Newell	Witness Fees & Mileage	78.28
John D. Barton	Purchase of Lots in Railroad Addition-Sundance	85.94
Joseph Michael Baron	Mileage	38.42
Joshua Idler	Snow Removal	36.00
Kelly B. Dennis	Mileage	67.80
Lance Marshall	Braces, Fence, Gates & Seed & Reclamation	2064.00
Lockup USA Productions	Training DVDS	108.50
Lyle Signs, Inc.	No Outlet & Shipping	64.26
Matthew Bender & Co., Inc.	WY Court Rules	332.97
Max Robert Masters	Mapping Contract for GIS & Subdivisions	3000.00
Midwest Cancer Screening	Pap Smears	55.30
Moorcroft Leader	Publishing	192.00
Mullinax Coal Sales	Coal	878.06
Nelson Auto Glass	Door Glass	280.00
Norco, Inc.	Lease Renewal	307.50
Office of State Lands & Investments	Voltage Charge	27.38
Omega Computers	Computer & Setup	546.80
Paetec	Telephone	175.40
Paradise Foods	Gas	95.06
Pitney Bowes Global	Leasing Charges	414.66
Powder River Energy Corp.	Electricity	3726.21
Powder River Office Supply, Inc.	Supplies	216.91
Quality Agg & Construction, Inc.	J Base & Rip Rap	13597.28
Quality Hardware & Supply	Parts	240.00
Quill Corporation	Supplies	104.99
Range Telephone Cooperative, Inc.	Telephone	6022.62
RG Trucking	Gravel Hauling	866.61
Ringer Law, P.C.	Court Appointed Attorney Fees	204.00
RT Communications	Telephone	1409.08
Sand Creek Trading Post LLC	Fuel	109.70
Sara Fleenor	Mileage & Meals	134.94
Security Insurance Agency Inc.	Bonds for Elected Officials	1350.00
State of Wyoming	Mainframe User Access	5.00
Sundance Dillon's Hardware Inc	Supplies	128.77
Sundance Equipment Company	Parts	284.18
Sundance State Bank	Direct Deposit Fees	9.41
Sundance Times	Publishing & Subscriptions	1077.00
Thos. Y. Pickett & Co., Inc.	Valuation Contract-December Installment	1700.00
TMS South	Supplies	235.10
Tongue River Communications	Jail Cable	63.00
Top Office Products, Inc.	Copiers & Supplies	4978.70
Tower Valley Ag Supply	Gas & Diesel	6876.89
Town of Hulett	Water	66.80
Town of Moorcroft	Water	63.00
Tracy Motor Company	Parts	1256.64
Tri State Construction, LLC	Shape, Haul Shale & Blade Road #200	17850.00
UNUM	Disability Insurance	268.49
Urbin Law Office, LLC	Court Appointed Attorney Fees	142.08
US Post Office	Box Rent	80.00
Visa	Supplies & Travel Expenses	1133.91
Volunteer Fireman's Retirement Fund	Volunteer Firemen's Pension Fund	275.00
WCTA	Dues	100.00
Western Stationers	Supplies	409.65

WPCI	Drug Screen	28.50
WY Department of Transportation	Project Expenditures	1738.89
WY Department of Workforce Services	Worker's Compensation	346.35
WY Retirement System	Rehired Retiree Contributions	1200.03
WYDOT Motor Vehicle Division	New Plate	5.00
Wyoming Machinery Company	Parts	3103.77
Wyoming Starter & Alternator	Alternator & Primer Pump	368.00
Wyoming State 4-H Foundation	Membership Dues	90.00
Total		438140.36

The following monthly collections were collected:

County Clerk	\$11,506.75
County Sheriff	\$8,240.81
Public Health (October)	\$4,801.66
Clerk of District Court	\$2,971.00
Circuit Court	\$17,446.57

On January 8, 2014 at 2:45 o'clock p.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 County – 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 8, 2014 at 2:45 o'clock p.m.

Jeanne moved to approve a Grant Award Agreement between the Wyoming Office of Homeland Security and Crook County for Project ID 14-DOT-CRO-HM-HMP14. Kelly seconded, all ayes, motion carried.

Kelly moved to sign Agreements for Sale of Real Estate and Quitclaim Deeds with John D. Barton, Billie Barton and Karen Barton to purchase property in the Railroad Addition in the City of Sundance, Wyoming, next to the County Fire Cache. Jeanne seconded, all ayes, motion carried.

Mary Kuhl, County Treasurer, submitted the following monthly report of receipts and disbursements for month end November 2013:

Total Receipts		\$5,057,218.04
Disbursements:	Towns	\$143,660.49
	County Boards	\$233,325.98
	State & Local School	\$1,115,764.50
	DOT/DOR/Rebate	\$115,912.75
	Redemption/S. Park	\$1,384.38
	Total	\$1,610,048.10

Morgan Ellsbury, Road and Bridge Foreman and Randy Gill, Facilities Maintenance Foreman, gave a monthly report. Kelly moved to approve a Property Damage Release. Jeanne seconded, all ayes, motion carried. Kelly moved to approve a Utility License between Crook County and Range Telephone Coop. Jeanne seconded, all ayes, motion carried.

Adjourned for lunch at 12:01 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, County Library Director, gave a monthly report. Also present were Ron Edgington and Tom Adams, County Undersheriff.

Gari Gill, County Fire Warden/Interim Homeland Security County Coordinator, gave a monthly report. Discussion was held on the Homeland Security County Coordinator position. Randy Gill, Facilities Maintenance Foreman, discussed the bids received for the addition to the Fire Cache. Jeanne moved to award the bid to Howard White Construction for the addition to the Fire Cache in the amount of \$140,945.00. Kelly seconded, all ayes, motion carried. Also present were Ron Edgington, Tom Adams, County Undersheriff and Sandy Edgington.

The Board reviewed the Proposed Policy on the Installation and Maintenance of Commercial Pipelines Along or Across County Roads. Oral and written comments were received and discussion was held. The Board will take the oral and written comments received into consideration and requested the County Attorney to re-write the proposed policy and the Board will review it and possibly take action on January 7, 2014 at 2:00 o'clock p.m. Present were Joe Baron, County Attorney, Sarah Pridgeon, Sundance Times, Tim Lyons, Growth and Development Administrator, Ron Edgington and Sandy Edgington.

Matthew Goodson, Bearlodge Engineering and Surveying, discussed the Crook County Surveyor position. Present were Joe Baron, County Attorney, Sarah Pridgeon, Sundance Times, Tim Lyons, Growth and Development Administrator, Ron Edgington and Sandy Edgington.

The meeting adjourned at 4:15 o'clock p.m.



Nancy Landeck and Jim Svalina discussed the redevelopment of Bates County Road No. 5. Kelly moved to approve and sign a County Road Redevelopment Agreement by and between Crook County, Wyoming and Nancy Landeck. Jeanne seconded, all ayes, motion carried.

Adjourned for lunch at 12:13 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.

Tim Lyons, Growth and Development Administrator, gave a monthly report and a subdivision and deed report. Also present were Linda Tokarczyk, Rare Element Resources (RER), Wayne Garman, Supervisor, Crook County Natural Resource District (CCNRD), Joe Baron, County Attorney, Cindy Larom, Bureau of Reclamation (per conference call), Mike Griffin, Strata Energy and Robert Gilbert, Supervisor, County Weed and Pest.

The following people gave an update on items of interest within their departments: Cindy Larom, Bureau of Reclamation; Robert Gilbert, Supervisor, County Weed and Pest; Linda Tokarczyk, RER; Mike Griffin, Strata Energy and Wayne Garman, Supervisor, CCNRD.

Linda Schelldorf, County Fair Coordinator/Secretary, Judy Hutchinson and Peggy Boardman, Members, Crook County Fair Board, gave a monthly report. Kathy Lenz, Clerk/Treasurer, City of Sundance, offered a land swap for a school sports complex on the existing fairgrounds. Discussion was held and comments were received. A committee was formed to see if there was financing available to move the fairgrounds. The committee consists of the following people: Contact person Kathy Lenz, Clerk/Treasurer, City of Sundance, Judy Hutchinson, Member, County Fair Board, Jim Hadley, Chairman, County Commissioner and Byron Stutzman, Superintendent, Crook County School District No. One. Also present were Sarah Pridgeon, Sundance Times, Zach Steele, City of Sundance, Byron Stutzman, Superintendent and Tom Necklason, Crook County School District No. One, Peggy Symonds, Edward Mignery, Douglas Ramsey, Phyllis Ramsey, Ken Rathbun, Crook County School District No. One, Tim Lyons, Growth and Development Administrator, Tina Wood, Clerk of District Court, Sheryl Klocker, Council Member, City of Sundance, Mary Kuhl, County Treasurer, Trudy Materi, Joe Baron, County Attorney and Wayne Garman.

Joe Baron, County Attorney, Rebecca Doby, Court Reporter, Jim Peck, Attorney, Evan Cross, Kermit Brown, Attorney (per conference call), Wayne C. Altaffer, Elizabeth Zerga, Attorney (per conference call), Charles Anderson, Attorney (per conference call), David Penney, RT Communications (per conference call), Levi Buck, RT Communications, James R. Wood, Mary Kuhl, County Treasurer, Ogden Driskill, Wyoming Senator, Sarah Pridgeon, Sundance Times, Douglas B. Hughes and Mark L. Hughes, Attorney were present for the hearing in the matter of the Application for Establishment of Private Road by Evan W. Cross and Sandra D. Cross, to be known as Private Road No. 276, to determine whether the Applicant has legally enforceable access to his land and to determine whether the Board or the Viewers and Appraisers should consider any alternative routes to the Applicant's land. Chairman Hadley appointed Joe Baron, County Attorney, as the Hearing Officer. Joe Baron, County Attorney/Hearing Officer, stated that the first matter is to determine whether the Applicant has legally enforceable access to his land. Jim Peck, Attorney, called Evan Cross as a witness. Evan Cross was sworn in and testimony was given. Jim Peck, Attorney, submitted Applicant's Exhibit A and it was admitted into the record. Kelly moved that the finding is that there is no legally enforceable access to the property of Mr. Cross. Jeanne seconded, all ayes, motion carried. Joe Baron, County Attorney/Hearing Officer, stated that the next matter is to determine whether the Board or the Viewers and Appraisers should consider any alternative routes to the Applicant's land and that the alternative routes be presented. Mark Hughes, Attorney, called Douglas Hughes as a witness. Douglas Hughes was sworn in and testimony was given. Mark Hughes, Attorney, submitted Affected Party RT Communications Exhibit No. 1 and it was admitted into the record. Mark Hughes, Attorney, submitted Affected Party RT Communications Exhibit No. 1 and it was admitted into the record. Kermit Brown, Attorney, called Wayne Altaffer as a witness. Wayne Altaffer was sworn in and testimony was given. Elizabeth Zerga, Attorney, called Levi Buck as a witness. Levi Buck was sworn in and testimony was given. Jim Peck, Attorney, called Evan Cross as a witness and testimony was given. James R. Wood was sworn in and testimony was given. Closing arguments were given. This part of the hearing was closed. Joe Baron, County Attorney/Hearing Officer, discussed the Wyoming Statutes pertaining to the pending private road procedures. At this time the Board wanted to hear from the parties on whether or not they want to continue this matter with the County Commissioners or have it go to the District Court. Jim Peck, Attorney, Kermit Brown, Attorney and Mark Hughes, Attorney, all want the Board to submit this matter to the District Court and Elizabeth Zerga, Attorney, Charlie Anderson, Attorney and James R. Wood do not have a preference. Discussion was held and the Board decided they will submit this matter to the District Court. Joe Baron, County Attorney/Hearing Officer will prepare an Order for the Board to review and consider on January 7, 2014 at 3:00 o'clock p.m. The hearing was closed.

The meeting adjourned at 5:18 o'clock p.m. to meet in regular session on January 7 and 8, 2014 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