

Monday, January 20, 2009

Deb Ranum, Chairperson; Donald Rieger, Member and Brenda Wood Clerk and Recorder met for a regular mid-month session. Dennis Afrank, Member was excused for a portion of the day.

Bob Wiedmer, Road Foreman met to present his weekly road Report. There was discussion regarding the Pennel Creek Bridge replacement project. An Environmental Impact Study will have to be completed before the repairs can begin. Spence Huether, Road Technician will be contacted regarding this issue and will assist the Commission and Bob with the paperwork necessary to send in to the Bureau of Land Management. Bob stated they are hauling scoria and Alba Higgins, Shop Foreman and Mitch Overn, Shop employee are almost finished working on the landfill compactor; when they are finished they will take the compactor to the landfill and will bring the D6 back in for repairs. . They have completed the work on the Lincoln Road and should finish working on the Buerkle Access today. They then plan to work on the Cabin Creek Loop road.

Alba Higgins joined the discussion regarding the cement forms being poured for the spillway project. Commissioner Rieger stated they do plan to keep pouring them. Alba had a suggestion regarding this issue because they are running out of yard room. The Commission will discuss this further and get a consensus of what to do about this matter.

Commissioner Rieger asked if the Road Department was using cement slabs to set the car gates on. Alba and Bob stated no we are using pipes because the concrete was not working; they were not a full form. Commissioner Rieger thought they were a full form like the cement plant has; they would be easier to clean and wash down. Alba stated he has heard other counties use a form and take a water truck to clean them out.

Maria Braun, FSA Director met to discuss some upcoming programs available for the producers. Discussion on losses turned in by the producers for the May and November, 2008 snow storms. Maria stated none of the producers ever came in for the May or November snow storms to report losses. Maria stated she knows there will be payment for losses of grazing or crops.

CLOSED-PERSONNEL

The Commission adopted Resolution 1-20-2009 allowing Fallon County to purchase various items of inventory from the State of Montana, Department of Highways for calendar year 2009. That resolution is on record in the Clerk and Recorder's office.

The Commission adopted Resolution 1-20-2009 (1) to make a voted levy upon the taxable operation of the Fallon Medical Complex. That resolution is on record in the Clerk and Recorder's office.

Noon Recess

Rod Johnson, Bill Lane and John Tronstad, Airport Board; Roger Meggers, Airport Manager and Mark Marvel, Kadrmas Lee & Jackson met to discuss updates on the Airport expansion project. Mark stated the FAA approved the environmental assessment and they are working on the land acquisition and the grant for 2009. Mark explained the land acquisition will not be approved for payment with FAA monies until they have a deed in hand. The FAA is hoping the (Airport Fund) would have about \$350,000.00 in entitlements. The plan is for the runway extension, runway rehabilitation and taxiway extension design, extends runway and taxiway lighting and relocates the fence. Discussion regarding the oil well; they will be working with ENCORE to either convert the oil well to submersible or Rod stated he is also going to look into the cost for low profile pumping units. They have three (3) different landowners involved they will need to work with, regarding acquisition of land, for the completion of this project. The Airport Board would like to move ahead with the land and sign the agreements if the County agrees. Commissioner Rieger made the motion to send in the grant application based on the fact there would be no revisions to the ALP, to get this project started. Commissioner Ranum stepped down from the chair and seconded the motion. Commissioner Ranum called for a vote of all those in favor. 2 Ayes. 1 Absent.

Commissioner Ranum called for a vote of all those opposed. 0 Nays. 1 Absent. Motion carried unanimously. Commissioner Rieger made the motion to proceed with the land acquisitions also. Commissioner Ranum stepped down from the chair and seconded the motion. Commissioner Ranum called for a vote of all those in favor. 2 Ayes. 1 Absent. Commissioner Ranum called for a vote of all those opposed. 0 Nays. 1 Absent. Motion carried unanimously.

Mark explained the process to the group: They will have the land appraised, the appraisals then go to the reviewer and from there they go to the landowner to negotiate the price of the land. Mark stated this also has to be approved by the FAA. The Commission may need to discuss the land acquisition with Rich Batterman, County Attorney.

Rod stated they had two names to submit for the Commission to discuss as appointments to the Airport Board and from there the names have to be approved by the City Council. Darin Meggers and Mark Jacobsen were the names submitted.

Mark brought agreements for the Commission to sign for the Airport Runway Expansion project:

The Commission signed the Agreement for Engineering Services between Fallon County/City of Baker, Owners and Kadmas, Lee and Jackson, Engineers to assist with land acquisition and management of the project for Airport Runway 31 extension. A copy of that agreement is on file in the Clerk and Recorder's office.

The Commission signed the Application for Federal Assistance for the Runway expansion project in which the Federal contributing funds would be \$216,974.00 and the Applicant's contributing funds would be \$11,420.00. A copy of that application is on file in the Clerk and Recorder's office.

Vera Abrams, Safety Supervisor met to discuss the Mini Health Fair. Vera stated they will come to the Courthouse to do the County Mini Health Fair in March this year, provided permission is granted by the Commission to do so. The Commission granted permission to proceed with the Mini Health Fair. They will probably do this the same day the Road Crew has their safety meeting and then another day for the rest of the County employees. Vera has purchased a forklift safety program for everyone that needs the training to view. Vera will conduct that portion of the training and Dave Hall will do the practical portion of the training.

Dale Butori, Weed Supervisor met to present his quarterly weed report. Dale stated they took quotes for a new ATV for the Weed Department. Commissioner Ranum asked if they were planning to get rid of an ATV. Dale stated if they did get rid of any it would be the yellow one that they had gotten the new frame for; but they may not get rid of any of them. Commissioner Ranum stated if they did decide to, they should check with some of the other County entities first. Dale stated they would certainly do that. They will be getting a 2008 Honda Foreman from Yellowstone Recreation of Glendive, MT, as their quote was the lowest at \$5749.00. Riverside Marine & Cycle of Miles City submitted a quote of \$5,799.00. Dale explained this will be purchased using the grant money they receive every year for the purchase of equipment. Dale stated he attended convention and learned about the Keystone Pipeline that is coming through several counties including Fallon County. They are bringing their own wash station so they can wash their vehicles before moving on to another landowner. Dale further explained they will be using certified weed free seed forage for seeding and will be bringing someone else in to spray the weeds. Dale stated the Fallon County Weed District was up for some awards but we did not get any. Dale explained on April 23rd there will be a Commissioner and Weed Board training in Miles City if the Commission would like to attend. When the agenda is more definitive he will bring it to the Commission to view to see if it is something they would like to attend. Dale brought his weed crew spray comparisons from 2007 and 2008. It was noted that 2008 was a better year regarding the area covered. Commissioner Ranum asked if he sprayed the parks. Dale stated he does and did not know why that was not on the report. Commissioner Ranum asked about the Landfill. Dale stated Tom Barth calls him when there is an issue.

The Commission approved the January, 2009 mid-month claims in the amount of \$203,422.99 and they are filed in the Clerk and Recorder's office.

MISCELLANEOUS REVENUES:

State of Montana - \$125.00 for reimbursement for the Subdivision review for the J & C Crawford Subdivision for the period of 10-1-2008 through 12-31-2008.

JOURNALS:

387-Change coding for warrant #40498 from Solid Waste in the General Fund to Solid Waste Fund in the amount of \$18,729.75.

395-Change coding for warrant #40897 to change fuel coding charges in the amount of \$147.71.

The Commission received the copy of the invitation to bid ad for the construction of the North Baker Water and Sewer Project which is scheduled for February 4, 2009 at 1:00 PM. The Commission also received an addendum for the bid specifications.

The Clerk and Recorder received notification from the State of Montana-Information Technology Services Division reporting the findings of the 2000-2007 audits for the 911 funds. That report is on file in the Clerk and Recorder's office.

David Espeland, CEO at Fallon Medical Complex reported to the Commission via e-mail Star Service was starting the replacement of the kitchen faucets in Parkview I as per the Commissioner's request.

Mona Madler, SMART Director notified the Commission of an application for a total of \$450,000 for Community Development Block Grant funds and HOME Single Family Pilot Program funds she was assisting in applying for. This would be to assist with housing by way of demolition which may provide sites for new construction with non-CDBG funds. The CDBG funds would be for \$25,000.00 and would only assist with the demolition; the HOME Single Family Pilot Program funds would be for the balance and could be used for new construction on the sites where the demolition took place.

The Commission received a scope of work from Tumblewood Development to complete two handicapped restrooms in the Courthouse. The Commission will try to get quotes from other individuals.

The Commission received notification from Corporation for National & Community Service regarding the Federal Financial Report for the period ending December 31, 2008. Janet Caranci, Grants Management Specialist reported the Federal report was submitted on time and match (non-federal contribution) is on target. The Commission commends Pat Madler, Director for the RSVP program for her prompt reporting on behalf of Fallon County.

The Commission received notification from Mike Carl, Hospital/ Parkview I & II Custodian regarding repairs needed for the Parkview I elevator. The main piston seal blew and needed permission to call someone to repair it. The Commission granted permission to have it repaired.

CLOSED-HIPAA

Dennis Afrank, Member returned for the remainder of the day.

CLOSED-HIPAA

Tim Barkley, Sheriff met to discuss the issue of consolidation of Baker Law Enforcement with the Sheriff Law Enforcement. Commissioner Rieger discussed an issue in Plevna regarding a pit bull. Tim explained since Plevna has no magistrate or prosecutor, state laws apply to the Town of Plevna. Tim did state in regard to the pit bull there are vicious dog laws that apply to the Town of Plevna.

Clayton Hornung, Mayor-City of Baker; Rod Morris and John Beach, City Council Members-City of Baker along with Tim Barkley, Sheriff met regarding the consolidation of Baker City and Fallon County Sheriff Law Enforcement departments. Clayton led the discussion by stating the reason the City felt they should try to pursue this further was

because of the hard time the City has retaining officers, due to high burn out, because of scheduling and late shifts. They are hoping to gain better law enforcement for the City by consolidating; that was when they decided to check with Tim and see if he felt it is workable. Clayton stated he is still not sure if it would be a good change or not, but they are looking at all options. Clayton further stated they will be proceeding with business as usual, with two less officers. The City has visited with different law enforcement agency's that have gone to the consolidation of their law enforcement agencies. Clayton has visited with Colstrip and they decided to go back to their City/County forms of law enforcement. Clayton stated they did receive 7 or 9 applicants for the open positions on the City of Baker Police Force. Tim stated small communities struggle in keeping law officers. Tim stated Fort Benton told him they have a high turn over of officers and chiefs and they could not come to an agreement when trying to put a consolidation effort together. They have worked something out with Big Sandy, but not Fort Benton. They were down to the chief and one officer and they took no night shifts. Tim stated this would have to be done on a full time basis because of the younger officers; they want to spend more time with their families, etc. Tim also stated the younger people feel they are not making enough money, but also do not want to work overtime. Clayton stated he feels it would have helped if they could have increased wages more, if there were a lack of call time, they were not away for such extended periods of time to attend trainings; all of that takes a toll. Rod stated shift work is hard on people especially when you are off duty, but you really are not off, because you are on call, due to only having a three man crew. Rod feels if they were to combine forces that would change because then when they are done working they are also not on call. Tim feels with an eight person force everyone would have time off and the only time you would be on call is if you were needed as a backup. Commissioner Afrank stated we used to have a Highway Patrol Officer that would assist before and now we are lucky if we can get and keep one. John stated he does not feel it is just the youth that are bringing about these issues; it is the changing of the times. John stated when we grew up we never saw our Dad's because they were always working. John feels the people that are moving here, just because of a job, may not benefit us because they have nothing to keep them here. John also feels the consolidation may make us more proficient and make us better. Rod stated we had good officers and we could not keep them; Rod feels this may have been partially their fault. John stated we could have tried to offer more money to them to see if they would stay. Commissioner Afrank feels if they would have tried to run a four man crew this may have helped and also may have kept them home more with their families. Commissioner Afrank feels they should figure out the overtime they paid over the years and see if they would benefit from another person. Clayton stated we tried a four man force and it did not work either. Commissioner Afrank asked how would you relate to the Sheriff since he is an elected official. John stated he would like to develop some type of system to better the communication such as a board comprised of a Commissioner, Council Member and the Sheriff and they could sit down and have a good discussion. Commissioner Afrank stated you can not dictate to him or tell him what to do. Further discussion took place regarding the pros and cons of having a board to oversee the consolidated law enforcement. Commissioner Rieger asked how the entire City Council feels about this issue. Clayton stated Jodie has some druthers. Rod stated he would not be here if he did not feel it was not in the best interest of both the City and County. Rod feels the Sheriff should be accountable and feels he would understand why they would not want to answer to a board. John stated he does not look at it that way because they can bring suggestions to everyone. Rod stated the Council could do this. Tim asked where the board ends. Clayton feels we need to discuss items such as this more and make a decision. Tim feels the system works against the officers sometimes such as when they do catch the criminals. Clayton stated he realizes there are delays of court proceedings, which cause issues. John stated in listening to this, I would not know these things and feels this is how you may benefit from discussion with a board. Tim also stated he spoke to the Plevna Council about getting help as there is only so much they can do, because they have no Magistrate or City Attorney, so they can not enforce ordinances; only State Law and further stated, we need help from the public also. Clayton stated he does not want to get bogged down on boards but feels each entity can go to Tim. Tim says he feels that if someone has a complaint; they should come to him directly. Clayton stated people do not like to come to anyone with complaints. Tim stated he feels if they do not want to come forward, then possible it is not a legitimate complaint. John stated possibly it would help to have them consolidate. Tim stated he can explain to people the process

and the same for the Commission and City Council. John stated that is why they should have a board to discuss things and communicate. The group decided to research this project further before taking it to the public. Commissioner Afrank asked if the City's budget would cover four (4) people. Rod stated the City's would not now, but this would be for next year. Tim explained the many things their force would have to be supplied with, such as weapons, belts, vehicles, etc. Clayton stated that was why they wanted to get started on this now as they will need to work out the budgets and they will need a few months lead time to work on this. Commissioner Ranum stated the law enforcement would just be an officer, not City or County. Tim stated yes they would not be City or County, they would be one. Commissioner Afrank asked would they bring in Plevna. Tim stated we do provide them services, per State Law. The group discussed getting a committee together to meet and to later get something out in the paper to the public.

The Commission reviewed and approved the minutes from the Plevna Rural Fire District for December, 2008 and warrants were approved in the amount of \$2,144.34. The Plevna Rural Fire Department minutes from December, 2008 also stated Rolph Tunby has agreed to act as interim Director to replace Dale Buerkle. The last day for someone to file is February 19, 2009 per Debbie Wyrick, Deputy Election Administrator, so the Commission will wait to see if anyone files to run for the open position. A decision may be made at the Commission's February 23, 2009 meeting.

The Commission reviewed and approved the minutes from the Baker Rural Fire District for December, 2008 and warrants were approved in the amount of \$9,206.10. The minutes also stated their November, 2008 meeting was cancelled due to lack of a quorum.

The Commission discussed what days they will meet in November due to out of town meetings. The Commission will not meet Monday, February 9, 2009 due to out of town meetings; they will not meet February 16, 2009 due to the President's Day Holiday; they will instead meet February 17 and 18, 2009.

Randy Hoenke called last week to let the Commission know the bid for the Fire Station would be in the Fallon County Times on the 22nd of January, 2009. Bids have to be in by the 19th of February, 2009.

Commissioner Afrank asked if the Clerk and Recorder would try to phone Verke Refrigeration for quotes to update the Baker and Plevna Senior Center heating systems.

The Commission reviewed and approved the Commissioner proceedings from January 5-8, 2009 and January 12, 2009.

The Commission continues to listen to the legislative sessions and review all legislative bills they feel pertinent or vital to Fallon County, City of Baker, Town of Plevna, Public Schools and the State of Montana in general.

Adjourned,
s/Deb Ranum, Chairperson

ATTEST:
s/Brenda J. Wood, Clerk and Recorder