

Monday, February 23, 2009

Deb Ranum, Chairperson; Dennis Afrank, Commissioner and Brenda Wood, Clerk and Recorder met for a regular Monday session. Donald Rieger was excused for the day.

CLOSED-HIPAA

Bob Wiedmer, Road Foreman met for his weekly road report. The group discussed the millings from the Highway 7 South project and its possible uses. Bob stated he and Doug reviewed roads that will need to be chip sealed this year. The total cost would be approximately \$96,200.00 plus trucking, chips and sealant. Bob stated they are graveling part of Sunset Road. Bob stated the company the County purchases their cold mix from will also have their paving machine in our area. The County may be able to work something out and it may not cost so much. Discussed there will also be a hot mix plant here because of the Highway project. Bob stated he was told the oil used for the highways is different than what is used for chip sealing. Bob discussed talking to John Deere regarding purchasing a transit or laser level. Bob stated he and Doug also looked at possible mining prospects. Commissioner Afrank suggested taking pictures when they are mining. Bob further stated they finished graveling the road going to Doug Rowe's and also graveled Thomas Luoma's driveway. They will either go back to Little Pine Trail with scoria or start on the Anticline Road when they are finished with Sunset Trail.

Tim Barkley, Sheriff was unable to attend his scheduled meeting at 10:30; he will try to meet after the Public Hearing takes place.

PUBLIC HEARING-APPROVAL OF PRELIMINARY PLATS:

Mike Rinaldi, Sanitarian was in attendance at the hearing; with no one from the public appearing the Commission began the hearing.

The Fallon County Commission held a public hearing at 11:00 AM for the Preliminary Amended Plat of Meadows First Minor Subdivision and the Preliminary Amended Plat of the Meadows-Second Filing on February 23, 2009 and after careful review made the following conditions for those plats:

Meadows First Minor Subdivision: CONDITIONS:

Fallon County would like to reserve ingress and egress, (regarding the existing pipeline), until the new sewer discharge line is placed and the old sewer discharge line is abandoned in place.

The Commission found the plat corrected the following issues:

- 1) Deleted the easement on the West side of Tract 4.
- 2) Deleted the easement on the North and East side of Tract 5.
- 3) Deleted the pipeline easement running through Tract 4 and Tract 5.

Amended Plat of the Meadows-Second Filing:

CONDITIONS:

The Commission approved the amended plat as submitted with no conditions stipulated.

The Commission found the plat corrected the following issues:

- 1) Deleted the easement on the West side of Tract 4.
- 2) Deleted the easement on the North and East side of Tract 5.
- 3) Deleted the pipeline easement running through Tract 4 and Tract 5.
- 4) Added the easement on the West side of Lot 6, Block 7.
- 5) Modified the easement on the South side of Lot 6, Block 7.
- 6) Added the easement on the East side Lot 7, Block 7.
- 7) Modified the easement on the South side of Lot 7, Block 7.
- 8) Added the easement from the North side of Misty Meadow Drive North to the existing 66' access and utility easement.

Commissioner Ranum, Chairperson signed approving the Preliminary Amended Plats as listed above at 11:30 AM in the office of the Fallon County Commission.

Tim Barkley, Sheriff met regarding the juvenile detention funding issue within the State of Montana. Tim stated that after the Clerk and Recorder submitted the 1st quarter report, the funding was already gone. Tim made some phone calls and talked to a person from the Board of Crime Control; she stated the funding comes from the legislature. Tim stated the funding for the housing of juveniles has been cut. Tim further stated the Youth Justice Council is appointed by the Governor. The Board of Crime Control Representative stated they are trying to provide grants and extra funding for preventative measures, rather than putting any further funding toward detention and housing of juveniles. They are trying to get the legislature to get the funding level up; Tim asked her why it costs so much to house the juveniles. She stated they are supposed to be providing them with education. Tim stated Senator Keith Bales and Bill Kennedy, Commissioner of Yellowstone County are on the Committee that discusses those bills. Commissioner Afrank phoned Senator Bales; they spoke of the cost of housing juveniles in secured detention facilities, further discussed the cost of housing them in our facility. Tim stated he can only house juveniles for 72 hours and then they have to send them to a certified facility and the closest one is Billings. Tim explained he travels as much as 1000 miles per day for a juvenile to see a judge for 15 minutes. Senator Bales explained he felt it was funded through the Federal Byrne Grant and then over time the money seems to go away and then the General fund seems to be the funding source. Senator Bales further stated the stimulus funding may help the problem now, but will not help over the long run. Commissioner Afrank asked if it could be distributed more fairly between the Counties. Senator Bales feels it is put in a pool and distributed on a first come first serve basis. He further stated this funding may be a biennial appropriation and 2008 may have paid out most of the funding and there may be none left for the next year. Tim stated there may be some Title II funding that may be available, but the Board of Crime Control did not feel it was for juvenile detention. Senator Bales stated he would do whatever he could to try to get some answers and hung up from the conversation and Tim also left the discussion.

Noon Recess

The Commission reconvened at 1:00 PM with all present.

Dan and Jon Brosz, Brosz Engineering; Ken Griffith and Bruce Moore, North Baker Water Sewer Board Members met to discuss the NBWS project. Jon stated he met with Rural Development and various scenarios were brought up to see how the stimulus funding could work for this project. Brosz presented two scenarios for the project with costs and funding strategies and the group discussed both and the way the funding could possibly work. They are in hopes that DNRC will fund \$100,000.00 and there may be a good chance of getting \$120,000.00 from TSEP. They are also in hopes the stimulus money will fund money to the projects that did not get funded. That funding will be available July 1, 2009. The STAG grant is applied for through Senator Baucus and Senator Testor and Testor's office awards the grant; they will apply for \$300,000.00 but may only receive \$150,000.00 and this funding has to be matched, Sandy Kust will apply for this grant and deliver it on Friday. They are working with Jason Rittal for the EDA disaster funding monies. They also explained the Rural Development Loan money would be paid by the people in the district. Jon stated Steve from Great Falls-EDA gave them the 2nd option with funding thoughts and this shows no Rural Development loan monies involved. Ken stated he would like to start on the sewer portion and so would Dan, but, they would lose the three funding sources for the sewer.

Baker Rural Fire District and Fisher Construction met in the Library basement at 2:00 PM to review the bids for the Baker Rural Fire District building project. Those in attendance were Vern Stark, Randy Hoenke, Dennis Koenig, David Meccage, Richard Chester, Larry Singer, Tom Bruha-Baker Rural Fire District Members; Jim Berve, CMAR-Fisher Construction; Deb Ranum, Dennis Afrank-Commission and Brenda Wood, Clerk and Recorder; Dan and Jon Brosz, Brosz Engineering, guests also met to listen. Jim reviewed the bids with the group; he stated he had not seen that many bids in a long time. This is the GMP (Guaranteed Maximum Price) for the contract; there should be a savings, with money then coming back to the County to be used for other things.

Commissioner Afrank asked how do you figure there will be a savings. Jim stated they add all of the fluff or slush into the bid and also if there is not a savings, Jim stated, he loses money. Commissioner Ranum asked how many bids were received. Jim stated there were 30 phases bid with at least 7 contractors bidding per phase. Brock Collins, Baker Rural Fire District member joined the discussion. Commissioner Afrank asked Jim if he would always be on site. Jim stated he would be on site or a representative, when work occurs. Commissioner Afrank discussed where the concrete would come from. Jim stated the concrete would be coming from Baker Cement and would be a 3000 pound mix for the foundation and 4000 pound mix for the slabs. Commissioner Ranum asked if there were bids from other states. Jim stated they had one bid from North Dakota, one bid from South Dakota and the rest were from Montana. Commissioner Afrank asked if they had awarded the bids. Jim stated not until after this meeting. Further discussion regarding the groundwork; the dirt will still come from Steve Sieler's and they will have to get some gravel from Glendive. The group discussed the concerns at this time is the funding for the project. Vern stated if the County would pay back the funding they borrowed from them for the Hospital project, they would only need \$350,000.00 more for the next fiscal year to complete the project. Commissioner Afrank stated for now you have enough funds to get the project started and he feels if we can find the funding for the project, he would be willing to pay back the \$600,000.00 and budget the remainder in the next fiscal year. Robert Singer, Baker Rural Fire District member joined the discussion. The group discussed the project would not be completed until January, 2010. They will also need to get a preliminary contract together. Vern will try to get together with the County Attorney regarding this matter.

Rich Batterman, County Attorney phoned the Commission and stated he spoke with Wanda and Craig Pinnow about purchasing the property the Coral Creek Landfill currently sits on. Rich stated the purchase would not include the wind towers and would cut some of the acreage out that has not been currently developed by the County. Commissioner's feel we need to schedule the Pinnow's to discuss this and get it resolved.

Commissioner Afrank mentioned to Rich, the Baker Rural Fire District will be contacting him as they will need a preliminary contract for the building project.

Dee Dee Geving, Fair Board President phoned in to discuss the Grounds Manager advertisement for the Fallon County Times. The Commission discussed they would be paid per the current salary schedule, with no overtime, as they would be supervising. This position would be working from May until mid or the end of August. The County Attorney told Debbie Wyrick, Deputy Clerk and Recorder their advertisement has to contain all of the requirements before going to print and also will need to state the age requirement.

MISCELLANEOUS REPORTS:

The Commission received the January, 2009 Fallon County Detention Center Report- There were 7 prisoners held for a total of 35 days, of which 18 were County; 15 were City and 2 were Department of Correction days. Revenues collected were \$100.00 for the Department of Correction days.

The Commission received the Fallon County Council on Aging report from October 28, 2008.

MISCELLANEOUS CORRESPONDENCE:

The Commission received a copy of a letter sent by Sheila Keller, Action for Eastern Montana regarding the need for job description updates and evaluations for the Senior Coordinator, Transportation, Skilled Nurse and Homemaker. Sheila also reported the 4 year plan was reviewed and all the goals are being met.

FIRE TRUSTEE ACCLAMATION:

The Commission declared elected by acclamation, Larry J. Singer for the Baker Rural Fire Department. Per Section 7-33-2106(4), M.C.A. the Election Administrator cancelled the election as the number of candidates is equal to the number of positions to be elected. Per Section 13-1-304 the County governing body shall declare elected by acclamation each candidate who filed a nominating petition for the position.

OTHER MISCELLANEOUS BUSINESS:

Work for the handicapped restrooms should be started the end of this week or next week. Commissioner Afrank discussed the restrooms with Mike Rinaldi, Tumblewood Development regarding the scope of work and the quote from Tumblewood Development. Mike stated the contractor will provide for everything in the total quote. Lynda Herbst, Custodian asked if they would need to get a quote for wall papering the restrooms. The scope includes drywall, taping, mudding, sanding and painting. The Commission stated they would wait to see if the priming and painting meet their approval first before pursuing possible wallpapering.

The Commission reviewed and approved the minutes from February 17th and 18th, 2009.

The Commission has been watching and gathering data on the legislative session daily and has made some special trips to Helena regarding various bills.

Adjourned.
s/Deb Ranum, Chairperson

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