

Monday, November 2, 2009

Deb Ranum, Chairperson; Donald Rieger and William L. Randash, Members and Brenda J. Wood, Clerk and Recorder met for a regular November session. WELCOME BACK DEB!!

Bobby Wiedmer, Road Foreman was not able to attend the meeting today but left the Commission with his road report. Roscoe Gray and Doug Bruha will be working on car gates part of the week. Dave Hall and Roland Maier will be on the crusher. The rest of the crew will be hauling gravel on the Anticline. They are planning to put the car gates on Chad Follmer's road next week. Commissioner Ranum stated it is important that the public realize Chad is paying for the car gates that will be placed on his road.

Rick Stark met to discuss cattle guards on his property and fencing on Bridge Road which is where the bridge was just replaced. There is  $\frac{3}{4}$  mile of fence to be replaced on that road since the bridge is now in place. Rick would like to pull the west side of the fence out, put in an additional cattle guard which would replace the fence. Rick would also like to move one cattle guard and add another cattle guard. The cattle guard he has in place now is 24' wide and in good condition but he does not want to purchase the 2<sup>nd</sup> cattle guard and wondered if Fallon County would. Commissioner Rieger stated no and explained the County's liability; he stated Fallon County will place the cattle guards if the landowner pays for the cattle guard. Fallon County will not put a cattle guard in to replace a fence. To be consistent with our policy now, we will need to put the fence back in. Rick stated Fallon County needs to get some gravel on Bridge Road this fall. Commissioner Rieger felt sure they would be able to get more surfacing on that road. The group discussed using the gravel from the Stark Pit. The Commission will rehearse this with Bobby Wiedmer, Road Foreman when he returns. Commissioner Ranum explained Chad Follmer has to pay for two cattle guards also under somewhat the same circumstances.

Jim Jones, MT DOT met regarding the drainage project. Jim wanted to clarify whether Fallon County would reimburse the City and the City would then send the check to the State due to the paperwork involved. Jim will need a letter reflecting this discussion; this will save some unnecessary paperwork for all entities involved for the drainage project. The Commission agreed they would still pay the 2/3 cost of the change order which was discussed a few weeks ago. Jim stated they plan to start at the lake and work backwards this fall. Alba Higgins, Shop Foreman joined the discussion. Alba stated they need to keep one of the approaches open on the North side of the County Shop. With both approaches blocked, they would have to go by the Weed Department shop building and it would make it difficult for the trucks and trailers to exit. Discussed building a temporary approach so there is access in and out of the shop while they work on the drainage. Jim left the meeting.

Building-Alba discussed the building that will be placed at the old landfill. The building will be used for concrete pours for the creek channel and later for other purposes. Alba wondered what size the Commission wanted the building to be and if there was a preference as to where the building should be moved to. The Commission felt Alba could get some quotes for the size he felt would best suit the needs for now and later uses. They would discuss the possibilities of placement after the size is determined.

Capital Outlay-Alba discussed purchasing new trailers and getting some specs together since the new building should be up soon.

Repairs-Alba stated they took a Sterling Truck to Billings for repairs.

Mowing-Alba stated they are finished mowing roads.

Caroline Fleming, CNADA-Miles City Office; Susan Anderson, CNADA-Glendive Office and Lacey Berg, CNADA-New Staff person in Baker met to discuss the CNADA office in the basement of the Library. Caroline explained they were able to hire (Lacey) because of a grant written by Susan. Susan stated Lacey's position would consist of 32 hours per week to begin with and would be representing Fallon and Carter Counties. They will be recruiting volunteers to take care of the crisis lines, etc. which are operated 24 hours per day. The people from this area call Miles City now because Baker is not very active. They are hoping Baker will become a self standing center. The grant is for three years and they feel it will serve an excess of 200 people per year, verses 20-40 per year now. They asked about receiving their mail centrally, wanted information about the phone, copies, etc. It was explained they could use the Clerk and Recorder's box number and come and get their mail in the Clerk and Recorder's office or get their own box. The Commission felt the phone was already there but would make sure there was a phone there if there is not one there now. It was decided the charge to CNADA for the phone would be for long distance calls only; Fallon County would pay the balance. The office will have specific hours but Lacey will be out in the community also. Lacey will also be traveling to Ekalaka and attending trainings. The group explained the basement office needs to be updated such as painting the walls and they need new furniture. Their grant will pay for all of this, felt the carpet would be fine but if not and the grant will pay for that as well. The Commission stated they could get someone to haul the

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old furniture out so they can begin the updates. The Commission stated the Custodian can contact someone that can get the painting completed and they in turn can get in touch with Lacey.

Noon Recess

Reconvened at 1:00 PM, with all present.

Commissioner Ranum went to check roads with Spencer Huether, Road Technician before the Road Abandonment Hearing.

Chuck Lee, DES/911 Coordinator met to ask some questions. Chuck wanted to know if there was anything the Commission had discussed with regard to Custer County being added to Fallon County's Dispatch Center. Chuck explained he had heard from someone that Fallon County may be adding another County. Commissioner Rieger stated when the Commission was at convention, the Custer County Commissioner's approached them and asked if there may be a possibility Fallon County would take over their dispatch services. Chuck stated we could and Bowman County, North Dakota has also contacted Chuck about coming on board, along with Golden Valley County, North Dakota.

Generator-Commissioner Rieger asked if the new generator was undersized as we seem to be having so many issues with it. Chuck stated he did not think so but they did get the old generator going as a back up. Chuck stated they did have an issue with the old generator as it was smoking; found the extension cord was too small for the load. It was changed out and that corrected that issue.

Rich Batterman, County Attorney met to briefly update the Commission on a few items of business. The Commission asked if they needed to attend the TIFID Hearing on November 3<sup>rd</sup> in the Fallon County Courtroom. Rich stated this was the main suit and it was a summary judgment hearing (this avoids a trial) and it would be a very good idea for the Commission to attend.

Inter-local Agreement between Fallon County and City of Baker-This agreement is for Justice and City Court and Rich has not heard anything back from anyone regarding this agreement.

Chuck Lee-(finished his meeting)-The tower at Dispatch is going to the new Fire Hall. Bob Brenner, Tab Electronics wants to put the new tower closer to the street by the Outside Building Maintenance shop. Commissioner Rieger asked about the cables for the tower. Chuck stated the cables are overhead now and he is not sure if they will all be underground or overhead when that move takes place.

Don Schillinger, Superintendent-Baker High School and ConocoPhillips have stated they will help purchase the other tower that will be placed elsewhere in the County. Chuck is going to try to get \$15,000 from other donors also. This will be in addition to the tower Fallon County will be paying for. There will then be a siren at the Courthouse and possibly one on Kenny Griffith's land. Plevna will get the old one from the old fire hall which will be hooked up to their generator. Also discussed other placement possibilities for the tower in town, such as the Ambulance Garage.

Karol Zachmann, Fallon Medical Complex-Foundation/Home Health/Lifeline Coordinator met to discuss the possible purchase of new lifelines. Karol brought information and quotes for the Commission to review and discuss. Commissioner Rieger stated he felt Fallon County would pay for the phones as long as the rates of the lifelines are not raised for Parkview I and Parkview II residents. Karol explained the reason this is necessary is because the majority of the old lifelines will soon be obsolete. Karol found a place to purchase them for a very good price and the more they purchase the better deal they get plus there will be no shipping charges. Commissioner Randash made the motion to purchase 30 of the lifeline phones for \$577.20 each with no shipping fees. Commissioner Rieger seconded the motion. Commissioner Rieger asked for those in favor to signify by saying Aye. 2 Ayes. Commissioner Rieger asked for those opposed to signify by saying Nay. 0 Nays. 1 Absent. Karol stated they will be sending in the 9000's to be replaced with the new phones as the Company will still maintain the 9500's for a few more years. Commissioner Ranum returned and was apprised of the discussion. Commissioner Ranum also agreed to the decision, changing the vote to 3 Ayes, 0 Nays and 0 Absent. Motion carried unanimously.

Spence Huether, Road Technician met to have the Commission sign the Road Abandonment Hearing Resolution for the December 14<sup>th</sup>, 2009 hearing. Resolution 11-2-2009 is filed in the Clerk and Recorder's office.

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The Commission finished reviewing and approving end of month claims for the month of October, 2009 in the amount of \$286,702.47, in comparison to \$493,550.16 for end of month claims for September, 2009, and they are filed in the Clerk and Recorder's office.

Vera Abrams, Librarian/Safety Supervisor met as the Safety Supervisor regarding the County Safety Program. Vera is concerned about the minor vehicle accidents the County employees have been involved in. There were many thoughts regarding being proactive and motivational. Suggestions were made to have those involved in the vehicle accidents to be presenters for the Safety Meetings and/or take extra training. After much discussion it was felt there will be a 4 hour driving commentary class held May, 2010, which will be held for all employees to attend.

The Commission gave permission to replace the lighting in the Sheriff's Department. Due to the safety issues and age involved, (safety latches for covers are broken) with the lighting, now is a good time to replace them as long as they are receiving new ceiling tiles and insulation in their office.

Permission granted to have the Baker Senior Center lot surveyed to find out the responsible party for the driveway behind the Center as the City of Baker stated it is not an alley. The Commission will also drive down and view that area.

Recess until the Road Abandonment Hearing

**FALLON COUNTY ROAD ABANDONMENT HEARING  
7:00 PM-FALLON COUNTY COURTROOM  
BAKER, MONTANA**

**ATTENDANCE:**

Donald Rieger, William L. Randash, Deb Ranum, Commissioner's; Spencer Huether, Road Technician and Brenda Wood, Clerk and Recorder. No members from the Public were in attendance.

Minutes from the hearing are on file in the Clerk and Recorder's office.

Hearing adjourned at 7:15 PM

Recess

Tuesday, November 3, 2009

Reconvened at 8:30 AM with all present.

Bobby Wiedmer, Road Foreman met to discuss the County specifications for roads and if there were any other specifications other than a 24' bed and a 3 to 1 slope and 24' cattle guards. The Commission stated they felt there were really no other specification as that was fairly standard.

Cattle guards-The Commission also reported on their meeting with Rick Stark. The Commission felt Rick was not going to purchase another cattle guard and the Commission told Rick, Fallon County would replace the fence. Bobby stated Chad Follmer called to tell Bobby he (Chad) is going to purchase cattle guards with skids and the Road crew will put them in.

Fines-Bobby discussed the recent fines Fallon County received from MSHA regarding the crusher. Bobby stated this was related to the guards and burms and feels they (MSHA) are going to find something to fine us for each and every time they come. Bobby wondered if a letter from Rich Batterman, County Attorney would help this issue. Commissioner Ranum suggested taking pictures to send with the letter. Bobby stated the State of Montana takes pictures when they come. Bobby stated Alba Higgins, Shop Foreman corrected the guard again and made a guard with hinges.

Mining Pits-Bobby discussed the short form they have to fill out for some of the mining pits.

The full body of the Commission met in the Fallon County Courtroom for the TIFID Summary Judgment Hearing with Judge Joe Hegel presiding and Attorney's for Fallon County and the Department of Revenue.

Noon Recess

Reconvened at 1:00 PM with all present.

Tuesday, November 3, 2009 (Continued)

**MINUTES:**

The Commission reviewed and approved minutes for September 1, 2009, September 8-11, 2009 and September 14, 2009.

The Commission reviewed time sheets and approved the October, 2009 payroll and withholdings in the amount of \$413,754.69 and they are filed in the Clerk and Recorder's office.

Clayton Hornung, Mayor was unable to attend the meeting scheduled at 4:00 PM due to Parent Teacher Conferences.

Adjourned.

Wednesday, November 04, 2009

The Commission reconvened at 7:45 AM with all present.

The Commission met in the Library Basement for their scheduled Mandatory Safety Training from 8:00 AM – 12:00 Noon.

Noon Recess

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

Kent Ehret, K & P Construction met to ask the Commission if they wanted to proceed pouring the pre-cast cement forms for the creek channel. The Commission stated they would like to continue pouring as they feel the lake issues may get resolved soon. Commissioner Rieger stated the Commission made the decision to get a building built for them to pour in and then the County will use the building elsewhere in the County.

Cement-The group discussed the recent issues with cement at various local locations such as scaling and crumbling.

Tom Muckle, County Rural Fire Chief met to discuss the old pickup he uses as County Rural Fire Chief. Tom budgeted for a vehicle such as an Expedition, Tahoe or Durango so he could keep his equipment in it at all times and also would be able to take passengers with him, such as the Commission. The Commission asked if he would need new radios and lights. Tom stated the radios from the old pickup should be okay and he may not need a light bar as he will not be responding with lights and sirens. Commissioner Randash asked how much equipment Tom has to carry with him. Tom stated he has his turn-out gear and just a lot of other necessary items.

Mobile Command Unit-Commissioner Rieger asked about the usage of the mobile command unit. Tom stated, to his knowledge it has never been used.

Tom Muckle, Stevenson Funeral Homes met to discuss indigent burials. Commissioner Rieger stated the Commission made the decision to raise the amount paid to Stevenson Funeral Home, for indigent burials.

Lora Heyen, Museum Curator met to discuss an incident that happened at the Museum. An electrician was installing exit signs, dropped their screwdriver and broke the glass in the showcase. The electrician told Lora they would pay to have the glass replaced either by Fallon County sending them the bill or they would take the cost off of the electrical bill for that project. The Commission felt it was sufficient for them to take the cost of replacing the glass off the electrical bill.

**ROAD EASEMENTS:**

The Commission signed the following Road Easements:

Delane and Arleen Beach Living Trust-Farmstead in Sections 26-5-59 and 35-5-59; Bergstrom Hill Road in Section 33-5-59.

**AGREEMENT:**

Commissioner Ranum signed the WIC Program Satellite Agreement between Fallon County WIC and Eastern Plains WIC Program/DEAP for the October 1, 2009 to September 30, 2010. The total contract amount is for \$8,200.00 and the agreement is on file in the County Documents in the Clerk and Recorder's office.

Thursday, November 5, 2009

The Commission reconvened at 10:00 AM with all present.

David Espeland, CEO at Fallon Medical Complex met to present the monthly FMC report. H1N1-was discussed briefly.

Parkview Retirement Complex-David discussed the suggestions received regarding various items in the Complex:

1) Garbage-House rules read the tenants are responsible for their own garbage. David stated they did earlier agree, during the winter, FMC Maintenance would take the garbage out for the tenants and the tenants could take their own garbage out all other times. It is felt this would be no different than if they were living at home. If they are not able, there should be family members that are able to do this for them.

2) Outside windows washed-It was agreed to wash them once a year, quite some time ago.

3) Doorbell from Parkview II to Cafeteria-The Cafeteria is locked at 7:30 PM. David stated they discussed this extensively and it was decided they do not want anyone in the Cafeteria after that time incase someone were to fall in the middle of the night and no one would find them. David stated they need to use their lifelines. It was decided the Cafeteria definitely should be locked up for safety and security purpose.

4) Most of the other issues were either resolved or were too costly to feasibly be reasonable.

Parking Lots-The Commission wondered what was going on with the new parking lot. David stated Hardy Construction is sending a Foreman and Mike Stevenson, Architect will be present for all of the work. The group discussed the issues regarding the new project should have been the responsibility of Hardy's project manager.

Energy Audit-The group discussed the repairs to Parkview One regarding the energy audit. Permission granted to proceed with the bid process.

CT-It is felt by some that Fallon Medical Complex needs a new CT Machine. The one currently owned was purchased, used, from Glendive several years ago. Linda Moore found the cost for a new CT to be \$400,000 and year two there will be an additional \$80,000 needed for maintenance for the CT. David stated he found out the Company would purchase it for them and FMC would pay for the costs of the scans. The group discussed the lease agreement and length of the lease. David was not sure, but felt the lease would last for approximately 5 years. Commissioner Ranum asked how many CT's are completed now. David stated they perform 1 per day, but would need to increase it to 1 ½ per day to pay for a new CT. The Commission felt they should proceed and check further on the process and costs if the company purchases the machine and FMC pays per scan and go from there.

NH Renovation-David stated this project is going well; all of the windows are replaced. The insulation in the Nursing Home will be completed by the same contractor that is completing work at the Detention Center.

Noon Recess

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

Joe Janz, Outside Building Maintenance Supervisor met to discuss a few items of business. Joe discussed trying various methods of ice removal. The Commission stated Joe could try other alternatives and find out what works best without damaging the cement, etc.

Air Compressor-Joe was wondering if he could purchase a small 10 gallon air compressor for the shop. He has found one that would cost \$199.99, on sale. Permission granted to purchase.

Tom Muckle, County Rural Fire Chief phoned in regarding a vehicle he found at Notbohm Motors in Miles City, MT for the Rural Fire Chief Department. The Commission granted permission to purchase, since it was in his budget. The cost of the vehicle is less than the \$15,000.00 he had budgeted.

Frank Schwarz, EBMS met to discuss the prescription drug benefit plan and the changes he felt were necessary. Debbie Wyrick, Deputy Clerk and Recorder/Insurance Committee Member joined the discussion. Selena Nelson, CFO-Fallon Medical Complex/Insurance Committee Member joined the group a few minutes later.

Alba Higgins, Shop Foreman met to briefly discuss Tom Muckle's, existing County Rural Fire Chief vehicle. Alba stated they are taking that vehicle to Deluxe Motors on Tuesday to have it repaired.

Compactor-Alba stated they are still having problems with the compactor (brakes).

Landfill loader-Alba has the loader parts ordered.

Landfill scraper-They are still having issues with the brakes for the scraper at the landfill.

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Road Department Scrapper-Alba stated while they are working on the Landfill scrapper and Tom asked if he could borrow the Road Scrapper. Permission granted to send the Road Department scrapper to the Landfill when it is ready to be released, with the exception stated above.

**ROAD ABANDONMENT RESOLUTIONS:**

The Commission signed Resolutions 11-5-2009; 11-5-2009(1); 11-5-2009(2) and 11-5-2009(3) pertaining to the Road Abandonment Hearing held on Monday, November 2, 2009. The Commission did not sign the Abandonment Resolution for Petitioned Road #20 and Petitioned Road #60. The signed resolutions are on file in the Clerk and Recorder's office.

The Commission phoned Carla Brown, Council on Aging Coordinator about the furnace quotes received for the Baker Senior Center. Carla was not in the office so they left a message.

Tom Muckle, County Rural Fire Chief phoned and stated he will pick up his used red, Durango at Notbohm Motors, Miles City, MT, Saturday, November 7, 2009 at a cost of \$12,000. The Durango has 62486 miles.

Vera Abrams, Safety Coordinator/Librarian met to discuss various items of business.

Library windows-One of the Library windows has a broken seal and they are waiting on a quote. Commissioner Ranum suggested possibly having the window replaced with ½ window and close in the other ½. Commissioner Ranum further discussed replacing all of the Library windows this way. Vera will try to get some quotes for this.

On-Site Inspections-Vera has not received the corrected safety issues, from several County departments, regarding the on-site safety inspections completed by the safety team. Vera will stay in contact with those departments and return the information to the Commission.

**REVENUES:**

Conoco Phillips Co-\$4,664.16 Oil and Gas Royalties for August and September, 2009.

Bison Pipeline-\$150.00 Encroachment Permit to open cut the Webster Road (with many stipulations) in Section 23-3-61.

Baker Air Service-\$186.10-Aviation Fuel for October, 2009

**JOURNAL APPROVALS:**

The Commission approved Journal #132 to change the posting account for claim #42279-Baker Air Service from Repair and Maintenance Supplies to Purchased Services.

Jeff Greenlee and John Beach, Golf Course Board Members and Eric Kary, Golf Course Supervisor met to update the Commission on various projects and converse on some ideas they would like to pursue.

Irrigation-Eric asked if there was progress on the water well. Commissioner Rieger stated the person at the Water Rights Bureau did not understand what we wanted to use the water for so we are reapplying for a water rights permit.

Cart Paths-Commissioner Ranum asked how well the cart paths were holding up. Jeff stated they are holding up good, with just a few sink holes. Commissioner Rieger asked how the sealant worked. John stated it worked really well; Jeff did most of the walking, the sealant was in the back of a cart and they sprayed it on. Jeff stated it was a 6-8 hour project.

Cart Shacks-Commissioner Rieger asked if they had built any more cart shacks. Jeff stated no they have not built anymore. Jeff stated they have no place to put anymore cart shacks. John stated we now have 65 and there is a need for more. Commissioner Rieger asked about the area around the Gunderson property line. John and Jeff stated that is the driving range area.

Budget-The Board members were each given a copy of the budget to review.

Golf Course Projects-Jon stated they have been having discussions with Eric about cleaning the old reservoir and putting a green there to develop it so it is more than a mosquito haven. John stated they have other areas that are just gumbo or hardpan they would like to clean out and put in some topsoil so they can grow something. Since there is no time during the golf season the Board wanted to know if Eric could do it during the winter months. Commissioner Rieger wondered how they would handle this during the winter months. They hoped to do some of it before it freezes (dig out the gumbo), bring in top soil and take the equipment in when it freezes. Or they thought they could do part of it now and then some in the spring. Discussion took place on where to haul and place the gumbo. John felt they could possibly use some of it for building up the low spots. Commissioner Rieger asked them to draw up

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a plan and bring it back to the Commission so that they knew what they want to work on this winter. Jeff felt the pond may be worked on further down the line but would like to work on the areas where the areas are bare now. They would like to dig the pond deeper and use the water for the course. Jeff stated they would also like to work on the portion of the cart paths where the water lays and pour cement in some areas such as the area by the putting green. They would also like to get some material from the State for the turn-a-rounds for the cart paths. Commissioner Rieger stated Fallon County has an agreement with the State of Montana DOT to purchase various materials from the local DOT yard and in turn will be billed by the State.

Restroom-Commissioner Ranum felt they should also work on getting water and sewer to their shop for a restroom. Eric will work on the details for that also.

Equipment status-Eric said everything is running good.

They will get a plan together and get back in touch with the Commission.

Adjourned.

s/Deb Ranum, Chairperson

ATTEST:

s/Brenda J. Wood, Clerk and Recorder