

Monday, February 8, 2010

Donald Rieger, Chairman; Deb Ranum and William L. Randash, Members and Brenda J. Wood, Clerk and Recorder met for a regular Monday session.

Bobby Wiedmer, Road Foreman met to present his weekly report. Bobby stated they have finished snow clean up so they can start hauling gravel. Bobby stated today the crew is winging the snow back and then they will start hauling gravel again, weather permitting. Commissioner Rieger stated he and Bobby need to go meet with Mike Choat regarding the scoria on his property.

Fairgrounds-Barb Lechler would like some snow removed for the Rodeo this weekend. Bobby stated this would be up by the buildings and then a road to the pens down below. The Commission granted permission to allow the Road Department to assist with the snow removal.

Weed Spray Truck-Alba Higgins, Shop Foreman and Mitch Overn, Shop Mechanic are almost finished getting the bed off the old weed spray truck so it can be placed on the new weed spray truck..

Gun Range-Tim Grube, Under Sheriff asked about getting the road opened up to the gun range.

Snow Blower-They are going to be receiving some training on the new snow blower and will not use it until after that takes place.

David Espeland, CEO and Selena Nelson, CFO-Fallon Medical Complex met to present the monthly report.

PVI-Energy upgrades-David stated they only received 2 bids for the energy upgrades at PVI-They were received from Fisher and ABT (Val Dyba)-Fisher's bid was \$81,195 and ABT's bid was \$69,907.00. Chad with Stevenson Design had estimated \$72,849.34. The Commission reviewed the bids received. ABT stated in his bid it would take six (6) months and Fisher stated it would take 56 days. David explained they will also have to get Theil Roofing here for part of the work so it does not void the roofing warranty. David felt that may be part of why Val is expecting the project to take 6 months as allowing for other contractors is sometimes difficult. After some discussion regarding prevailing wages Commissioner Rieger stated he felt we should get it done now. Commissioner Randash wondered if we should wait a month to see if the weather warms up. Commissioner Rieger stated he feels we should get it started now since we have the bidders in the area now. Commissioner Ranum made a motion to accept ABT's quote at \$69,907.00 for the PVI energy upgrades as long as everything checks out with the prevailing wage issue and the bids do not change. Commissioner Randash seconded the motion as stated. Commissioner Rieger called for those in favor to signify by saying aye. 3 Ayes. Commissioner Rieger called for those opposed to signify by saying nay. 0 Nays. Motion carried unanimously. The Commission stated if David felt comfortable overseeing the project, they were also comfortable with David overseeing the project, rather than paying an architect. David stated he will perform the project checks.

Security-David stated he received a better quote on a phone set for the front door for security purposes for the Apartment Complexes. ABT Electric can get that system for \$900.00 rather than over \$2,000.00 if the Commission is interested. Commissioner Randash stated wasn't it determined all the problem was, was the outside speaker. David stated yes, it works perfectly, but people do not realize they need to speak into the microphone and David stated he feels there are also outside noises that can cause an issue. Commissioner Rieger felt the Commission wanted a sign placed informing individuals they need to speak into the microphone. David will make sure the sign is placed.

Cement-Commissioner Rieger asked if Diamond J completed the work at PVI. David stated they did but part of the sidewalk did not go well and Diamond J stated they would come back and redo it. David stated Diamond J came in under bid for that project and David felt we should pay the invoice and retain 10% for the sidewalk issue. The Commission stated they felt that would be a good idea.

South parking lot-David stated the lights in the parking lot south of the new addition have not worked since about Christmas time. David stated the residents have been somewhat concerned about the lighting issue. This will be taken care of as soon as the weather breaks.

Access issues-Parkview residents want to be able to have access to the Hospital/NH through Dietary. Selena expressed this is a liability issue. The Commission agreed the decision was there is to be no access through Dietary other than the hours they are normally open.

Parkview II-Bonus Room-David stated the tenants would like new furniture instead of the old tables and chairs they have now. This room is above the room with the fireplace. It was added in the plans to

be a conference room. David felt the old tables and chairs from the old dining room can go up there and should work just fine. Everyone agreed this was what they would do instead of purchasing new ones.

Audit Report-Selena reviewed the report with the Commissioner's and stated they had a good audit with no negative findings. The audit includes the Foundation and the Hospital.

Chuck Lee, DES Coordinator phoned in and stated he submitted a request to appropriations of \$2.6 million dollars for upgrades.

#### Noon Recess

Reconvened at 1:00 PM with Commissioner's Rieger, Ranum and Randash and Brenda J. Wood, Clerk and Recorder, present.

Bobby Wiedmer and Alba Higgins met at 1:20 PM in preparation of the Bid Opening.

Bid Opening-Commissioner Rieger brought the Bid Opening to order at 1:30 PM for 1 or More New Triple Axle Bottom Dump Gravel Trailers. Bidder's Present-Brett Kavlie, Titan Machinery; Bill Brimley, Tri-State Truck & Equipment; Mark Feland, RDO and Chad Goodall, Jim Hawk Truck and Trailer.

#### **Bids were read aloud:**

**TITAN Machinery**-Billings, MT-Bid Amount-\$44,244.72-2010 Trail King trailer; Trade allowance for 1985 Fruehauf-\$10,000; Trade amount for 1991 Ranco-\$10,000. DEVIATION-has variable gate control, will meet all other specs, with equivalent or exceeding specs.

**TRI-STATE Truck and Equipment**-Billings, MT-\$43,400.00-2010 Ranco trailer; Trade allowance for 1985 Fruehauf-\$5,000.00; Trade allowance for 1991 Ranco-\$7,500.00. DEVIATION-State they meet or exceed all specifications, including the gate control.

**RDO Equipment Co**-Bismarck, ND-\$44,500.00-2010 Cross Country trailer; Trade allowance for 1985 Fruehauf-\$6,850.00; Trade amount for 1991 Ranco-\$9,350.00. DEVIATION-Mark stated they had the variable gate control, (which met specs) otherwise meets or exceeds specs.

**JIM HAWK Truck Trailers, Inc.**-Dickinson, ND-\$39,650.00-2010 Construction Trailer Specialist trailer; Trade allowance for 1985 Fruehauf-\$3,500.00; Trade allowance for 1991 Ranco-\$4,000.00. DEVIATIONS-Variable gate control; Tires are General not Toyo tires and the width is 96" in width rather than 102" otherwise, can meet all other specs.

Commissioner Rieger stated that concluded the bids; they would like to invite anyone that would like to go over the particulars of their bid to stay and the Commission would visit with each of them separately. Commissioner Rieger stated we would like to have time to further review the bids and we should be able to notify you of the decision by next Tuesday. Alba and Bobby will come and get copies of the bids and the group will make a decision by next Tuesday.

Alba and Bobby stayed to discuss the new weed trucks; they have to use ultra low sulfur fuel. Alba wondered if the County could file for a refund since they would have to use non-dyed fuel. Clerk and Recorder stated yes we can. Alba further stated if you do not use the ultra low sulfur fuel it voids the warranty. Alba stated the trucks will have to fuel down town because they do not have this type fuel in the tanks at the shop. Commissioner Ranum asked if we would be money ahead by purchasing the low sulfur diesel fuel; Alba was not sure. The group discussed specing fuel so it meets low sulfur specifications. Commissioner Rieger stated if we bid it every load, verses alternating the purchase every year, could cause CENEX to be knocked out. Alba and Bobby will discuss this further and decide if they can determine what can be worked out differently when purchasing fuel, to make it fair to all our locals.

The Commission met to attend the Road Abandonment Hearing.

#### **ROAD ABANDONMENT HEARING FEBRUARY 8, 2010 AT 3:00 PM-FALLON COUNTY COURTROOM**

**ATTENDEES:** Commission-Donald Rieger, Chairman; Deb Ranum and William L. Randash-Members; Bobby Wiedmer, Road Foreman; Spencer Huether, Road Technician; Brenda Wood, Clerk and Recorder; John Tronstad; Delbert Schweigert; Nicole Wheeler; Randy Wolenetz-Wolenetz Farms and Wolenetz &

Sons; Larry Singer; Larry Losing; Roddy M. Rost; Roddy V. Rost; Roy Rost and Steven Schweigert, Members of the Public.

Commissioner Rieger brought the hearing to order at 3:00 PM and read Resolution 1-11-2010 aloud:

A RESOLUTION CALLING FOR A PUBLIC HEARING TO RECEIVE PUBLIC INPUT ON WHETHER OR NOT THE BOARD OF COMMISSIONERS SHOULD ABANDON A PETITIONED ROAD, AS DESCRIBED HEREIN.

**WHEREAS** the statutes of the State of Montana vest in the Board of Commissioners with authority and responsibilities regarding roads and bridges, such statutes are generally found in Title 7, Chapter 14, Montana Code Annotated: and

**WHEREAS**, the Board is aware that a road petition exists in Fallon County known as **PETITION #7 – ROAD #97; PETITION #86 – ROAD #159; PETITION #1919 (3) – ROAD #86; PETITION #1919 (2) – ROAD #105; PETITIONED ROAD #121**; which is more specifically described as follows.

Full minutes of this hearing are filed in the Clerk and Recorder's office.

#### **Hearing adjourned at 3:34 PM**

Penny Zimmerman, Senator Tester's Office phoned to see if there was anything they could do. No one could think of anything right now.

After the hearing the Commission made the decision not to sign Resolution to abandon Petition #86-Road #159; Petitioned Road #121 and Petition #7-Road #97. The Commission did agree to sign Resolutions 2-8-2010(1) and 2-8-2010(2) to abandon a Petitioned Road. Resolution 2-8-2010(1) is as on record in the Clerk and Recorder's office.

The Commission signed Resolution 2-8-2010(2) and that resolution is on record in the Clerk and Recorder's office.

Wanda Pinnow, Fair Board Member met to discuss the Fairgrounds kitchen project. (Commissioner Rieger received a phone call) Wanda stated the Fair Board was directed by Mr. Rieger not to use Stevenson Design and to draw up their own specs and to go to other contractors to get some specs. Wanda stated the Fair Board feels their Board is not qualified to write specs. Clerk and Recorder stated she felt Commissioner Rieger meant they should draw up their own designs, present them to someone to draw up specs. Wanda explained the contractor they have now will be finished with the office March 12<sup>th</sup> and they want to redo the kitchen and have it done by June as they have a June wedding scheduled. The group discussed the plumbing issues in great length. Commissioner Ranum feels if you go to a commercial kitchen they should go to an Architect. Commissioner Rieger stated it is not necessary to get an Architect. Wanda feels the major issue is the plumbing and Mike Menger stated the obstruction is between the kitchen and the restrooms and no matter what we do with the kitchen; the plumbing has to be finished. Wanda will email Chad at Stevenson Design and find out how much he will charge to rewrite the specs with the changes the Board has made. Commissioner Rieger will take a copy of the kitchen drawing to various contractors to see what kind of prices he can get for the Board. Wanda would like the information for their Board meeting on Monday, the 15<sup>th</sup> of February so they can get ready to go to bid.

Carla Brown, COA Coordinator phoned in and stated she is concerned for the safety of everyone, especially the Seniors that have to walk across the parking lot to get to the building due to all of the ice. Carla stated the youth keeps driving in and whipping circles in the parking lot and Carla is concerned they will hit parked vehicles, citizens or possibly the building. Carla wondered if they could get the parking lot sanded. Permission granted to contact Scott Rabbitt, City/County Park Supervisor and have him come and sand their parking lot.

#### **MISCELLANEOUS:**

The Commission signed the Compliance Certification for the Anticline Box Culvert and mailed to the US Army Corps of Engineers, in Helena.

David Espeland, CEO at Fallon Medical Complex notified the Commission the quote from ABT had an addition error. The breakdown and the official bid did not reconcile. The actual quote was for \$73,407,

which was still below the other quote by almost \$10,000.00. The Commission authorized David to proceed with the quote from ABT.

A message was received from Dave Hayden on February 5, 2010 stating he did not have any issues with the Roads the Commission was planning to abandon. This was not admitted into the minutes of the meeting but was notated at the end of the minutes of that meeting.

The Commission received a newspaper clipping from Drury Phebus which was derived from the Billings Gazette, dated January 19, 2010 regarding keeping an eye on open meeting compliance. Drury stated he still thinks publishing in the Fallon County Times would be worthy.

The Commission signed the Maintenance and Support Plan for the aerators at the Baker Lake to be serviced for 1 year-quote was for \$6,600.

The Commission received the approved zoning compliance permit for the New Construction of the New County/Parks Shop building.

The Commission made the decision to change the insurance coverage for the 1999 Ford Senior Citizen Bus from Full Coverage to Liability only until the decision is made to keep it or auction it.

The Commission received a copy of the Fallon County Landfill Annual Report submitted to the DEQ by Barry Damschen, Engineer. A copy of this report is filed in the Clerk and Recorder's office.

Commissioner Rieger went to view the overhead storage area in the Sheriff's garage. The safety inspection cited the area needed to have guardrails. Sheriff Barkley stated they are moving everything from that area and will no longer use it as a storage area. The Commission stated that would be fine.

#### **REPORTS:**

The Commission reviewed and approved, (if needed), the following reports.

Baker Rural Fire District Report for January, 2010-Warrants were issued in the amount of \$244,997.13 for utilities, supplies, secretarial services, building construction payment and parts.

Special Baker Rural Fire District Report for January 12, 2010. Warrants were issued in the amount of \$22,900.00 to purchase a 2006-F-250 Ford.

Plevna Rural Fire District Report for January, 2010. Warrants were issued in the amount of \$3,906.16 for utilities, parts and supplies, cleaning expenses and payroll expenses.

#### **REVENUES:**

ConocoPhillips Company-November and December, 2009 Oil and Gas Royalties-\$4,899.46

Sands Oil Company-December, 2009 Oil and Gas Royalties-\$360.11

#### **ROAD EASEMENTS:**

The following road easements were signed:

David and Sonja Wiseman-Sunset Trail in Section 10-7-59

Losing, Inc. by Steve Losing-Bergstrom Hill Spur in Section 28-5-59

Losing Ema% Losing, Inc. by Steve Losing-Bergstrom Hill Spur in Section 28-5-59

Murril Beach-Bridge Road and Farmstead in Section 27-10-60

Adjourned.

s/Donald Rieger, Chairman

ATTEST:

s/Brenda J. Wood, Clerk and Recorder