

Monday, March 8, 2010

Donald Rieger, Chairman; Deb Ranum and William L. Randash, Members and Brenda J. Wood, Clerk and Recorder were present for a regular March, 2010 meeting.

Spencer Huether, Road Technician met to discuss the roads the Commission may want to include on the Road Abandonment hearing. Spencer discussed the fact the BLM does not want the road from the Cabin Creek Plant to the County line closed. Spencer stated the Vassar Road is a petitioned road; Fidelity and Vassar do not want the road closed as they put a new bridge in the road. The Commission will discuss these roads further.

The Commission signed Resolution 3-8-2010 calling for a Road Abandonment Hearing to be held on April 12, 2010 at 3:00 PM. That resolution is filed in the Clerk and Recorder's office.

Bobby Wiedmer, Road Foreman met to present his weekly road report. Last week they finished laying gravel on the Webster Road in the areas most needed. The tool carrier has a bad relief valve and will need repaired. Truck #162 has a hole in the radiator; the radiator is in Glendive being repaired. This week they will be hauling surfacing to the Scoria Butte Road.

Jon Brosz, Brosz Engineering met to discuss the TSEP (Treasure State Endowment Program) 50/50 bridge project program. Jon stated that it was not hard to select five (5) bridges that need to be replaced in Fallon County. Jon stated most of them are South of Plevna.

The Commission stated the State received funds to pave the Ollie Road. Since we have no gravel up there, the State will then have to maintain it.

Permission to proceed with placing bridges 1-5 in the 50/50 TSEP program.

Roscoe Bridge's portable bridges were discussed. Jon felt the County would still have the high cost of abutments and pilings, which is why Brosz went away from building bridges.

NBWS Project by April 5<sup>th</sup> Brosz has to send a set of plans to the reviewing engineer for this project.

Conference call to Roscoe Bridge and Jon joined the discussion. On the phone were Steve Patrick, General Manager; Joe Bishoff, Operations Manager and Cory Clausen, Bridge Consultant. Steve Patrick started the discussion by stating Roscoe Bridge has been building cost effective bridges since 2002 and they have been well accepted in rural counties. They can be used with various surfaces such as gravel or asphalt. They use pre-engineered standards, customized abutments, etc. Most often infrastructure requirements would not be met with conventional funding sources. Roscoe Bridge has designed a lease to own option for Counties. Steve turned the discussion over to Joe.

Joe explained County leases/funding tools are very different from commercial. The group discussed tax exempt leases and the funding agencies do not pay taxes, this enables the county to lease at a reduced cost. The cost includes bridge, freight and some of the installation costs.

Steve stated this is not a bond, you simply fill out a lease application and you are under no obligation to give specific information regarding county finance if you do not need to use the lease process. Steve asked if we had a priority list and if so how many bridges were on our list.

Commissioner Rieger stated yes and we had more than five on our priority list.

Steve explained the bridges are modular, steel structures and the work is completed in Missoula.

Cory asked if he and Bobby Wiedmer, Road Supervisor could chat about some bridges based on the requirements they have. Everyone agreed that would be a good idea.

Steve asked if any of the 5 bridge projects have urgency or if they could wait until the new July fiscal year.

The group felt possibly the bridge in Cabin Creek which would be a double lane bridge was of urgency.

Steve stated it takes very little time to fabricate and build these bridges.

Jon asked about the abutments and pilings.

It was stated, you can go with a purse abutment if the soil is okay, otherwise pilings would need to be used.

They use a super steel abutment to take the place of rebar.

Steve explained the bridge, abutments and back walls fit in the scope of the lease.

Conference call ended.

Guardrails and wing walls were not discussed. Jon will email Cory at Roscoe Bridge to find out more about those questions.

#### Noon Recess

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

Kate Russell, Department of Revenue met to discuss various items of business. The Commission has a taxpayer that has been requesting a refund on his taxes. The Commission has explained we do not normally refund any further back than the current year as the consensus is the taxpayer is responsible for reviewing their tax notices, which is also stated on their tax notices. Kate feels there is a law that states if the taxpayer is erroneously double taxed and did not get to apply for an appeal, the County can go back five (5) years or as far back as the error began, whichever is less. Kate did not bring that law in with her.

County records-Kate stated as of Friday, the County Assessment records were returned to Fallon County, with the exception of the current year because they are still working on them. The Commission wondered why records were taken from our courthouse to Carter County. Kate explained it is because they do not have the staff here so Tena Ketchum does the work and as soon as she is finished with them the paperwork should come back to Fallon County. Kate was not aware the papers were still in Ekalaka. Kate will follow up on this.

Commissioner Rieger asked why Fallon County does not have an appraiser here. Kate stated we have 2 part time people in Carter County and we have 2 full time people in Fallon County and one of the part-time Carter County employees is the Appraiser for both Counties.

Commissioner Ranum asked that the Department of Revenue please check on Wansek and see if they have any cranes at the wind farm. No one was sure about the arrival date. Kate will keep checking on the wind farm.

Kate looked up the law for refund of taxes and presented it to the Commissioners.

Kate also discussed the lawsuit against the DOR about the reappraisal; this lawsuit may change the 2<sup>nd</sup> half taxes, dependent upon when it gets resolved.

Tom Barth, Landfill Manager and Kit Anderson, Landfill Supervisor met to discuss the possible purchase of a tree grinder. Tom stated he would not recommend a tub grinder because it throws things out. Tom feels he would use the grinder approximately 300-400 hours per year.

Commissioner Randash stated he has a hard time justifying a new one if it will be used such few hours.

Tom stated used grinders have been found to require an overhaul at 5000 hours.

The group discussed various horsepower's available; also discussed the tub verses the horizontal grinders.

Tom further stated he felt Fallon County could charge the City for ½ of the grinding and felt the landfill can use the material for ground cover in various areas.

Commissioner Rieger asked if they could move the grinder with the dump truck. Tom felt they could.

Commissioner Randash asked if it would require two people to run it. Tom stated no it is remotely operated.

The group discussed a baler/building.

The Commission moved to the Courtroom for the Road Abandonment Hearing at 3:00 PM. Full minutes from the hearing are filed in the Clerk and Recorder office.

#### Hearing Adjourned at 3:15 PM

Dale Butori, Weed Supervisor wanted to know if there was a decision on the water well. The Commission has not heard anything yet.

Shop door-Dale stated G & R Custom Metals will put the extra door in the Weed building when the weather is nicer.

Trucks-The two new trucks are in Rapid City and should be done by the end of the month.

Crew-The Commission wondered if Dale knew who of his crew would be returning. Dale was not sure.

Management Plan-Dale asked if the Commissioner's had received any complaints about the management plan he sent out. The Commission had not heard anything. Dale stated he has explained to the landowners they need to fill it out based on what they have had in the past.

Bobby Wiedmer, Road Foreman and Spencer Huether, Road Technician met to discuss the Resolutions from the Road Abandonment Hearing. Commissioner Randash made the motion not to abandon Petitioned Roads 177 and 184 and Petition 13- Road 57 and to sign Resolutions abandoning Petition 87- Road 7; Petitioned Road 116 and Petitioned Road 163 after further viewing all of the information and after listening to public testimony. Commissioner Ranum seconded the motion. Commissioner Rieger called for those in favor to signify by saying aye. 3 Ayes, 0 Absent. Commissioner Rieger called for those opposed to signify by saying nay. 0 Nays, 0 Absent. The Motion carried unanimously and Resolution 3-8-2010 (1), 3-8-2010 (2) and 3-8-2010 (3) were signed and are on record in the Clerk and Recorder's office.

The Commission agreed to hold the Anticline Road Hearing on May 6, 2010 at 3:00 PM in the Fallon County Courtroom. The Commission further felt they may add the Vassar Road and declare it to the State Line and name it the Hidden Water Extension. Dukart Access was discussed; Commissioner Rieger stated someone had placed a gate on that road and since it is a County Road, it cannot be closed.

The Commission further discussed the tree chipper/grinder. Commissioner Ranum stated this will have to go to bid. The Commission stated Tom will have to get bid specifications together and have Rich Batterman, County Attorney review the specifications. The Commission will then meet again with Tom before going to bid.

#### **REVENUES:**

Sands Oil Co-Oil and Gas Royalties-January, 2010-\$230.83.

#### **JOURNALS:**

Journal #296-change coding for claim #42864-Hardware Hank from Fair to Solid Waste and #42263-J & M Lumber from supplies to Capital Outlay.

Journal #309-transfers from General and Road Capital Projects to the Recovery Act Fund #2990 for the Road/Park Building Project; Transfer from General Fund to RSVP Fund #2985 to disperse the County Portion of FY10 Grant; Transfer from 911 Fund to General Fund for Dispatch services provided to 911 from the General Fund.

#### **MISCELLANEOUS:**

The Commission signed the service provider designation form for designating a State-Approved Chemical Dependency Service Provider(s) to receive earmarked alcohol tax monies for the provision of chemical dependency treatment and prevention services in accordance with 53-24-206, MCA. The copy is filed in the Clerk and Recorder's office.

The Commission received the estimated closure and post closure costs for the Coral Creek Landfill from Barry Damschen. This letter assures Fallon County fills their financial assurance requirements for the fiscal year. This letter is received each year to appropriate the required amount of money each Fiscal Year to prepare for closure/post closure costs.

The Commission was notified by Action for Eastern Montana of the funds that will be requested from Fallon County for FY2011 in the amount of \$1,620 to administer aging programs with local matched funds.

**NEWS FLYERS:**

The Commission received news flyers from Seniors in Action (March edition); local FSA newsletter and the USDA Farm Service Agency Annual Notification Newsletter to review.

**COMMISSIONER MINUTES APPROVED:**

The Commission reviewed and approved the Commissioner proceedings for February 8, 2010; February 16, 2010 and March 1-4, 2010. Those minutes are filed in the Clerk and Recorder's office.

Adjourned.

s/Donald Rieger, Chairman

ATTEST:

s/Brenda J. Wood, Clerk and Recorder