

Monday, January 19, 2010

Donald Rieger, Chairman; Deb Ranum and William L. Randash, Members and Brenda J. Wood, Clerk and Recorder met for a regular January, 2010 session.

Jim Wosepka, Fallon County Auditor met to state he is conducting the 2008-2009 audit and asked if the Commission had any concerns with various areas of the County. Commissioner Ranum stated she did not know how people could embezzle money from a County. Jim stated that is where the checks and balances come into play. Smaller offices and smaller entities have more of an issue because they only have a few people and it is more difficult to have the checks and balances meld together.

TIFID-Commissioner Rieger explained there were two suits filed regarding the TIFID. The original suit we filed and the other suit that stated they changed the rules. The main TIFID suit is waiting to be ruled on by District Judge Hegel. The other suit we won in District Court and the DOR (Department of Revenue) challenged it in the MT Supreme Court. The MT Supreme Court ruled in favor of the DOR. Jim noted that and told the Commission he would like the Commission to think about any issues they may have while they are auditing and if anything comes up that they can think of the Commission should contact him.

COMMISSIONER REPORTS

Commissioner Ranum stated Turk Stark phoned and stated the Baker Rural Fire Board members meet every Tuesday morning at Randy Hoenke's shop and in turn the group meets at the new fire hall with the architect to review progress and ask questions. Turk wanted the Commission to know they are also welcome to attend. Turk also reported on the equipment they sold; the 2006 Ford ¾ ton sold for \$23,000 and other items they sold totaled approximately \$14,000.

Commissioner Ranum stated Luther Waterland called her twice at home. Commissioner Randash stated he called Luther back this morning and said there is nothing we can do about the taxes any further back than the present year. Commissioner Rieger stated he talked to Luther earlier and felt he understood the tax issue. The Commission had a conference call with Luther and asked him to discuss the issue with the Department of Revenue.

Alba Higgins, Shop Foreman and Bobby Wiedmer, Road Foreman reviewed the specs for the trailers they plan to go to bid for. The group made changes to the draft specs and bid proposal.

Weed trucks-Alba stated they would like to use rhino-lining because the chemicals eat through the paint and metal. Warne Chemical will complete the entire bed. The Commission granted permission to have this completed.

Bobby presented his road report. The group discussed the plowing of snow in Plevna and if in fact the County did plow snow in Plevna. Commissioner Rieger stated he told Kalyn Bohle-Mayor of Plevna that Fallon County was not going to get involved in local business until they asked some of the private individuals if they could do the plowing. All Fallon County did was widen the roads, nothing more. Last week they were able to haul gravel on the Brackett Butte Road. G & R Custom Metals has set the building at the old landfill so K & P will be able to pour cement for the creek channel. Hauled snow last week from the old clinic area to a different location to alleviate flooding issues; this week the plan is to haul gravel again.

Bobby reported they are holding a flagger training in Miles City, March 15th and the cost is \$35.00 per person. Commissioner Randash wondered if we used flagger's. Bobby reported they use them when they work on things such as the 101 Road. The Commission felt there was no need to send anyone.

LTAP Meeting will be held in Helena and will discuss chip and sealing, new type oils, etc. Bobby felt he would go by himself. Commissioner Rieger stated Bobby should see what fits at that time, if able to take someone or not. Bobby hopes it may be some place closer some day soon. Commissioner Rieger stated the Commission is more concerned about the loss of productivity.

Commissioner Ranum stated the Shell Oil Road is bad. Commissioner Rieger suggested who ever gets the bid to work on the 101 Road may also come and do an overlay on that road. Commissioner Randash stated he felt there was an issue on the Shell Oil Road due to the fact the pavement stops directly on top of the hill. The group will check on this further.

Signs-While at the road abandonment hearing, Llewellyn Johnson mentioned the sign for the 101 Road was missing. Bobby stated he had talked to the area MT DOT Road Supervisor (Dale Newell) and they will get the sign up. Since the road construction has taken place, there are several signs that are not up.

Commissioner Randash stated he will be attending a meeting in Sidney for the 16 County Economic Development Board. They will speak about the transmission lines and KVA (Kilovolt Amp) yards.

Chuck Lee-DES/911 Coordinator met to update the Commission on a few items of business.

Generator-They are doing the 6 month PM (Post Maintenance) on the new generator.

Emergency Operation Plan (EOP)-Fallon County had a grant given to us; with no match we will receive a minimum of \$15,676.56. With that grant funding we are supposed to rewrite the EOP. Chuck stated Deb Ranum was the last person to write the EOP for Fallon County. Chuck received quotes for this project and received one that was less than \$14,000.00; the other quote received was over the grant amount. Katherine Boreen is the person whose quote was the lowest and since she will be doing this for several counties in the area, she will cut us a \$1000.00 deal. Chuck needs the contract signed so we can proceed as this has to be completed by March 30, 2011. The Commission granted permission to proceed and also signed the contract.

Chuck asked if he can already ask to budget for a 2nd siren in the next year's budget. Chuck stated some entities have donated some funds already if this project can be completed by June 30th, 2010. Chuck was wondering if it would be possible to place a siren in the park by the Baker Lake. Commissioner Rieger felt Chuck should contact Scott Rabbitt, Park Supervisor about that also. Chuck stated the old siren at the old fire hall took a hit which fried the motor. That was the siren Plevna was going to be receiving. Plevna was also going to donate some money for this purchase of (\$5,000-\$7,000). Chuck feels he will need to get their siren repaired. Chuck feels he will need \$10,000-\$15,000 in the next year's budget for the second siren. Commissioner Rieger asked if this will be an ongoing maintenance expense. Chuck felt that it would not. The Commission stated Chuck could budget for the remainder needed in next year's budget.

The Commission started to approve mid-month claims before lunch.

Noon Recess

Reconvened at 1:00 PM with all present.

Mike Rinaldi, Sanitarian presented his monthly report. Mike is working on the sanitation reports for various restaurants.

Lake issues-Mike stated he has sent everything to Sidney, MT and she will in turn send it on. The paperwork has all of the proof regarding the Army Corp of Engineers stating they basically have no ownership of the Baker Lake. We will wait to hear what the Engineers have to say.

The Commission finished reviewing and approving the January, mid-month claims in the amount of \$352,176.26 as compared to the December, 2009 end of month of \$147,868.72 and they are filed in the Clerk and Recorder's office.

Misti Breitbach, Public Health Nurse brought a Medicare billing paper for the Commission to sign which will allow Misti to bill and collect payments from Medicare.

CLOSED – PERSONNEL

Dick Thomas, State Electrical Inspector met to discuss the work that Yellowstone Electric had completed in the boiler room as he was there to inspect the work. Lynda Herbst, Custodian is gone and no one else really knew what had been completed. The Commission had Steve from MTI stop in as he felt he was fairly well versed in the work that had been completed down there.

The Commission received letters of interest from Alice Rose Straub and LaVerne Schell to be placed on the Council on Aging Board to fill the two vacancies on this Board. Commissioner Randash made the

motion to appoint Alice Rose Straub and LaVerne Schell to the Council on Aging Board. Commissioner Ranum seconded the motion. Commissioner Rieger called for those in favor to signify by stating aye. 3 Ayes. Commissioner Rieger called for those opposed to signify by stating nay. 0 Nays. Motion carried unanimously. Letters will be written to both ladies and COA Coordinator informing them of the appointments.

REVENUES

Juvenile Probation-\$26.00 for the balance of the restitution from a juvenile that vandalized a porta-potty at Iron Horse Park.

Wind Turbine Rent-\$16,000.00 for the rent from 10 turbines.

Bowers Oil and Gas-November, 2009 Oil and Gas Royalties-\$140.15

December, 2009-Entitlement 2nd Quarter funds-\$73,834.29

December, 2009-Basic/Enhanced/Wireless 9-1-1 Funds-\$105,491.34

December, 2009- CDBG-Drawdown #1-Grant-\$20,009.00

December, 2009-Airport Grant Funds-\$10,432.00

REPORTS RECEIVED

The Commissioner reviewed and approved (those necessary), reports from the following:

Fallon County Fair Board Minutes-December 14, 2009, January 6 & January 7, 2010.

Baker Rural Fire District Minutes-December 3, 2009.

Plevna Rural Fire District Minutes-December 9, 2009.

Coral Creek Landfill, December, 2009 Report.

Seniors In Action, January, 2010 Issue.

Incident Report-Employee slipped on wet cement.

Airport Outlay Report #8 was received from Kadmas, Lee & Jackson for the Airport Expansion project.

MISCELLANEOUS BUSINESS

The Commission received the punch list from Jeff Gruizenga, PE for Con'eer for the heating/cooling/ventilation improvements. The items listed will need further attention prior to final acceptance by Fallon County.

Barb Lechler, Fair Secretary is having problems with some of the barn staller's. They are again questioning the Certificate of Liability Insurance forms. Some of them seem to feel it is illegal for Fallon County to ask them for their proof of insurance. The County Attorney has advised Barb, IT IS NOT ILLEGAL and the reason we ask for it is to protect both the renter and the County. The Commission stated the Commission will require the Fair Board to continue to request the Certificate of Liability.

The Clerk and Recorder was instructed to send reminder notices to some departments that they need to turn in their on-site safety inspection reports with corrections or reasons why they are not corrected and if they have questions, they need to contact the County Commissioner's.

Misti Breitbach, Public Health Nurse emailed to let the Commission know the State would no longer be paying for the Health Nurse's cell phone bill. The bill can be paid from their Emergency Preparedness budget. The Commission understands there are a lot of cuts being made at the State level that are shifting costs to the local entities and are fine with the cost being charged to this budget.

The Commission received notification from the State of Montana, Seventh Judicial District regarding a request to continue funding the Eastern Montana Compliance Officer. The amount of the required local match increases each year and this year the amount the Counties must contribute is 70%. Fallon County's contribution amount would be \$600.00. The Commission made the decision to give notification of their agreement to pay the \$600.00 to maintain the funding level necessary to continue the use of the Eastern Montana Compliance Officer.

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

Adjourned.
s/ Donald Rieger, Chairman