

Monday, July 25, 2011

The Commission convened in regular session at 10:00 AM in the Commission office at the Fallon County Courthouse with Donald Rieger, Chairman; William L. Randash, Member and Brenda Wood, Clerk and Recorder present. Deb Ranum, Member was excused for the day.

Commissioner Randash made the motion to pass Resolution 7-25-2011 calling for a Public Hearing to receive public input for road abandonments. Commissioner Rieger stepped down from the chair and seconded the motion. Commissioner Rieger called for those in favor of the motion to signify by saying Aye. 2 Ayes. 1 Absent. Commissioner Rieger called for those opposed of the motion to signify by saying Nay. 0 Nays. 1 Absent. The motion passed and Resolution 7-25-2011 is filed in the Clerk and Recorder's office.

The Commission reviewed, approved and signed the Cooperative Agreement between the Montana Department of Public Health and Human Services and the Fallon County Board of Health with regard to inspections for licensed pools, spas and other water feature licensed within the County. Agreement is effective May 1, 2010 through December 31, 2012 and is filed in the Clerk and Recorder's office.

Jessica Dinardi, Planner met to confirm the Commission planned to go out for Request for Proposals (RFP) for the Growth Policy. The Commission felt we need to go out to bid as we are fairly certain it will be at least \$50,000, which, the law dictates anything over \$50,000 has to go to bid. Jessica stated she felt Rich Batterman, County Attorney stated they would not be required to for this, due to the fact it has to do with the (Planning/Growth Policy) but she would have to check on that again.

Polly Davis met on behalf of the Wrestling Club. The club would like to have a shovel race during the Fair this year and wondered about the insurance and liability. The Commission stated they would need to check into getting their own insurance for this event.

Scott Rabbitt, City/County Park Supervisor met to ask about purchasing a 4-wheel drive pickup to haul water to the trees. Right now they are using a pickup loaned to them by the City. When that pickup is loaded with water it drops the box so the box lies on top of the tires. The Commission will discuss this with Commissioner Ranum when she returns.

#### **Bid Opening-Livestock Pavilion Re-Roof Project-11:00 AM**

Richard Griffith, Griffith Steel attended the bid opening. The only bid received was from Griffith Steel for the following:

Original specifications (26 gauge roof sheeting)-\$211,000.00 or alternate (24 gauge roof sheeting)-\$260,750.00. Cashier's check was received for 10% of the bid; warranty for paint was attached which is a 40 year Duracoat white. The projected start date would be the end of September.

Richard stated the vents would need to be replaced but this was not included in the bid. The cost for those would be \$60.00 each; the new style vents have ball bearings and will last longer.

Commissioner Randash made the motion to accept the bid. Commissioner Rieger stepped down from the chair and seconded the motion. Commissioner Rieger stated they needed to add to the motion, which gauge steel to use. Richard feels the 26 gauge is good enough and feels the 24 gauge does not warrant the extra costs. Commissioner Randash added to the motion by stating the Commission agreed to accept the bid using the 26 gauge roof sheeting. Commissioner Rieger stepped down from the chairman position and seconded the motion. Commissioner Rieger called for those in favor of the motion to signify by saying Aye. 2 Ayes. 1 Absent. Commissioner Rieger called for those opposed to signify by saying Nay. 0 Nay. 1 Absent. Motion Carried. Letter will be mailed to Griffith Steel and a copy to the Fair Board.

David Loran, Langlas met to discuss a question Judy Gunderson, DOR employee had regarding the decision pertaining to the wall in her office. Judy would like the wall to be cut down similar to the wall in the Treasurer's office. The reason the Department of Revenue would like to make this change is Judy's office will be considerably smaller due to the elevator construction project. It was felt this would help open up the office a little more. Permission was granted to submit as a change order.

Brian Hickey had earlier asked a question regarding the road going to his residence. Brian stated since the County abandoned the road going to his residence, he would like to know what needs to be done so he can get the right of way back. Spencer Huether, Road Technician was asked this question by the Commission. Spencer stated the road was never abandoned but Fallon County also never took easement on any of the roads in that Subdivision, therefore the road is Brian's to maintain. Brian will be contacted.

Bobby Wiedmer, Road Foreman asked if the Road Department could have permission to hook up the fax machine they currently have so they are able to utilize it. If they get a splitter they would pay a flat fee of \$200.00 (total) rather than having a new line installed. Permission granted.

Barbara Ketterling, Treasurer/Assessor wanted to notify the Commission that a taxpayer paid several years of personal property taxes from 1992.

Another taxpayer tax issue was discussed. Taxpayer stated they were plowing snow for a seismic crew in Montana. Taxpayer had two pieces of equipment in Montana for the sum of approximately 2 months and was charged taxes for the entire year. LaRita Huether, Department of Revenue stated the taxpayer had called in and told her about the equipment and agreed to come in and pay the taxes but never showed up so LaRita was forced to put it on the tax billing for the full year. The DOR cannot prorate taxes unless the equipment comes in after June, unless they receive Commissioner approval. The Commission agreed they were not going to allow the proration as they have not allowed this in the past. The taxpayer will be called by the Clerk and Recorder and informed of the decision.

#### **Noon Recess**

The Commission reconvened at 1:00 PM with Donald Rieger, Chairman; Deb Ranum and William L. Randash, Members; Brenda J. Wood, Clerk and Recorder and Debbie Wyrick, Deputy Clerk and Recorder present at the Fallon County Shop for the Fallon County Auction.

After the County Auction Commissioner's Rieger, Randash and Ranum returned to the office, Brenda Wood, Clerk and Recorder excused for family emergency. Debbie Wyrick, Deputy Clerk and Recorder available when needed in absence of the Clerk and Recorder.

#### **MISCELLANEOUS:**

The Commission reviewed, approved and signed the encroachment permit for Fred Houszicka to bore a County road in Section 12-9-56 (Dry Fork Road) to place a stock water pipeline. Fee of \$150.00 was paid by Mr. Houszicka.

The Commission received the Findings of Fact, Conclusions of Law, Order and Judgment from Judge Joe L. Hegel regarding the TIFID Law Suit. Judge Hegel found in favor of the Department of Revenue. The Commission will decide if they will appeal to the Supreme Court. The Findings of Fact is on file in the Clerk of Court's office and is filed in the Clerk and Recorder's office.

The Commission received a report notifying them of an accident that occurred whereby a County Driver backed a County truck into another County truck. This has been turned into the insurance and are waiting for estimates.

The Commission received notification of public comment from Fish, Wildlife and Parks for the upcoming 2012-2013 biennial hunting season setting process and proposed 2011 early season migratory bird regulations. Public Comment periods end-Migratory Bird Regulations-August 15, 2011 at 5 PM; Setting process-September 6, 2011 at 5 PM.

#### **CLOSED-JOB INTERVIEW:**

#### **REVENUES:**

Baker Air Service-County Portion of July Aviation Fuel Sales-\$316.66.

#### **MINUTES:**

June 20, 2011-Fair Board Minutes.

**JOURNALS:**

Journals 649-660-Reversing Journals to make adjustments, per Auditor instructions.

Journals 599-605-Make Adjustments, per Auditor instructions.

Journals 661-663-Roll balances forward after make auditor requested adjustments

Journal 665-FY2011 Solid Waste Closure/Post Closure adjustments, per auditor

Journal 666-FY2011 Record Ambulance bookkeeping into the County books

Journal 667-FY2011 Weed Inventory Adjustments

Adjourned.

Donald Rieger, Chairman

**ATTEST:**

s/Brenda J. Wood, Clerk and Recorder