

Monday, March 9, 2009

Donald Rieger, Vice-Chairman; Dennis Afrank, Member and Brenda Wood, Clerk and Recorder met for a regular Monday session. Deb Ranum was excused for the day.

Bob Wiedmer, Road Foreman will take the gas tax maps to the shop with him to work on. Bob stated the Road Crew has about ½ mile of the Anticline Road completed. Bob stated it will cost \$6,000.00 to \$7,000.00 for the oil, in addition to the chips and other costs for road repairs for the chip/seal roads. Bob stated they will be holding a DOT excavation seminar in the Hospital Basement. Commissioner Afrank stated everyone that runs the backhoe and scraper should attend. Bob stated they have to limit the number of people that attend, so Bob will have as many attend as he can. Commissioner Afrank asked if Bob had contacted Dale Newell, State Highway Department to see what the dirt content of gravel should be. Bob stated he did contact Dale, he told Bob the State takes a core sample and sends it on to be tested. The group discussed gravel piles that had been rejected by the State of Montana; would the County be able to use them? Commissioner Rieger felt it would depend on what you want to use it for. Bob stated the road crew has also been cleaning ice from the ends of culverts on some of the roads. The Road Crew has also had to do some road patching where the water had run across the roads.

Ray Mengel, MT Department of Transportation of Glendive, MT phoned to give the Commission some good news. Ray stated the entire remainder of HWY 323, South of Ekalaka will be included in the bid letting on May 28, 2009. Ray stated the first portion of Highway 7 will be in the bid letting April 9, 2009 and better news yet, the remainder of Highway 7 will be let in July or August, 2009, which will get us to the substation by the Roddy Rost residence. Ray explained some of the other roads in the State of Montana have been moved to another category so the Ollie Road can be put on the Secondary Road project list for this year. Ray stated they are also planning to replace some bridges. The Commission thanked Ray for such good news for our County.

The Commission passed Resolution 3-9-2009 to amend the FMLA Policy and that resolution is on file in the Clerk and Recorder's office.

The Commission made the decision regarding the NBWS funding at their March 5, 2009 meeting. The Commission passed Resolution 3-9-2009 (1) regarding the North Baker Water Sewer (NBWS) Funding and that resolution is on file in the Clerk and Recorder's office.

Chuck Lee, DES/911 Coordinator has a request in for six (6) hand-held radios and a snow blower. Chuck further explained there are funds available for Fire Departments and Chuck will get hold of Jason Rittal, Executive Director-Eastern Plains Economic Development Corporation to try to acquire some of this funding.

The Commission signed Resolution 3-9-2009 (2) regarding Fallon County, in Conjunction with the Federal Highway Administration, has programmed or will in the future program for construction of the replacement of two County bridges with culverts located in Section 31-10-59 and 36-9-58 and that resolution is filed in the Clerk and Recorder's office.

Noon recess

The Commission reconvened at 1:00 PM with all present with the exception of Deb Ranum.

Commissioner's Rieger and Afrank signed the interlocal agreements between Fallon County and the City of Baker for the Park Supervisor and Laborers and the Water Extension agreement for water piped from the lagoon to the Golf Course. These agreements will go to the City of Baker for the Mayor and Council to review as to the content; sign if approval is given and return to Fallon County to be placed on record.

Mark Jacobsen, BLM-Public Affairs and Elaine Raper, BLM-Field Manager. Elaine stated they are meeting with the Commission because they would like to have more interaction, more transparency and cooperation with the Counties on a more regular basis.

Elaine discussed some general items of interest:

The BLM will be completing another reorganization; in October they will be going back to a Field Office. Miles City will contain Miles City and North and South Dakota and Elaine will then be the District Manager. Someone will then take her place as the Field Manager. Commissioner Rieger asked will this pertain to all of North and South Dakota. Elaine stated it will, but most of the work takes place in the western side of the Dakota's. Elaine stated there will also be Field offices in Dickinson, ND and BelleFourche, SD. Elaine stated Mile City is a very large field office. They will be working with the collaborators and cooperators to gain input. Elaine explained, Fallon County is not a cooperator but the LBSCD is.

Elaine stated the Cedar Creek Anticline rose to the list because of Oil and Gas activities and they may or may not end up with different management plans for them. Elaine explained they are trying to be proactive with the Sage Grouse so there may be no need to list them as endangered species. Commissioner Rieger asked if they are completing the study on the private land owners around the Cedar Creek Anticline to see if the Sage Grouse are populated or not. Elaine stated they work with the Fish Wildlife and Parks on that item. Commissioner Rieger feels they (Sage Grouse) are dwindling in the private sectors also.

Commissioner Rieger had asked earlier in the conversation if Elaine was going to discuss the Access Issue. Elaine stated now she was ready to discuss that portion of the meeting. Elaine explained the purpose of this is to maintain access to public lands and further stated this is high on the Department of Interiors list. Elaine stated there is land being purchased by the public and it is cutting off access to the public. The public can not shut the land off, but, the public still can not get to the BLM land. With the work loads they needed someone to man this position regarding working with land owners, FWP, etc. This individual will work from the State level to purchase land which will then open up some of this land and assist the field offices. This person will also work with easement issues, etc. Locally they will do some of the more low keyed issues pertaining to that issue. Commissioner Rieger discussed the people wanting places to hunt and the landowners are not happy that the FWP is buying up land, etc. Elaine stated they do not have a lot of Public Land in Fallon County but they do have some Block Management. Elaine stated she does not think there would be much problem with people blocking people out in Fallon County. Commissioner Rieger stated there are issues with not controlling the amount of people that come in and hunt those areas and it causes problems with the local land owners.

Elaine stated she is going to give them an idea of what to expect with the new administration; they will be supporting Renewable Resources and traditional Oil and Gas Resources. Commissioner's Rieger and Afrank feel it will not be long before they have issues with the wind turbines, all over such, as they do in Harlowton (killing bats). Commissioner Rieger stated he feels the BLM has a tough position with the public as they are right in the middle of it all.

Mark discussed the Resource Advisory Council; each Council has 15 members that represent different natural resource issues. Terms are staggered three year terms; Mark explained the Council positions are cycling out and they would like elected officials in some of these areas to take some of those positions. Mark explained Eastern Montana meets in mostly Miles City. They would like the Commission to give it some thought and have discussion on this matter.

Elaine stated the BLM brings on some 70 people for fire suppression. Commissioner Rieger stated the individuals are nice people to work with and some are locals that know what we are dealing with in our area. Elaine stated we are proud of the efforts they put forth.

Commissioner Afrank discussed the BLM raised their fee to \$4,000.00 per well application. Elaine explained this was not something BLM did. Commissioner Afrank stated he imagined it was congressional. Elaine stated yes. Elaine further explained each well has to have an Environmental Impact Study (EIS) statement completed and they group them. Commissioner Afrank discussed the EIS Fallon County has to do for the box culverts being placed to replace a bridge. Elaine we do not always use EIS's, we some time use Environmental Assessments (EA).

Commissioner Rieger asked if the BLM gets involved with the Tongue River Railroad. Elaine stated she knows they have their permits and everything pretty much in place. The Commission thanked Mark and Elaine for coming to meet with the Commission; they appreciated them taking time to visit about various items.

MISCELLANEOUS:

The Commission signed the Letter to the RFAA regarding the Engineering Agreements and Independent Fee Review for the Baker Municipal Airport runway extension; the Agreement for Engineering Services for Design and the Agreement for Engineering Services for ALP Update. These agreements will have to be signed by the City of Baker in conjunction with Fallon County and mailed to the FAA in Helena, MT.

The Commission signed the Contract Status Inquiry from Great American Insurance Group regarding the Boiler Replacement project for the Courthouse and the Hospital. The Company was wondering the status of the project due to the fact the bond has not yet been returned. It was explained, the Courthouse replacement was completed but the Hospital project was not, due to weather conditions.

David Espeland phoned and explained he completed a walk through of the old Public Health building and stated it was ready to be demolished.

THE FOLLOWING ROAD EASEMENTS WERE SIGNED:

Susan Smith Terry-Section 10-9-58-Anticline Road
Barbara Ann Croft-Section 10-9-58-Anticline Road
Sharon Louise Flener-Section 10-9-58-Anticline Road

REPORTS:

The Commission received copies of the reports of approved training for the Plainsman Search and Rescue for a Dive and Search Pattern training and a GPS grid search training.

MISCELLANEOUS REVENUES:

Sands Oil Company-Oil and Gas Revenues-\$277.67
Bowers Oil and Gas, Inc.-\$110.44

The Commission reviewed and approved the minutes from March 2-5, 2009.

The Commission has been steadily watching the legislative sessions and reviewing many of the bills they deem pertinent to Fallon County, City of Baker, Schools and the State of Montana.

Adjourned,
s/Donald Rieger, Vice Chairman

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