

Monday, April 27, 2009

Deb Ranum, Chairperson; Donald Rieger, Dennis Afrank, Members and Brenda Wood, Clerk and Recorder met for a regular Monday session.

George Fitzpatrick, TV booster repairman phoned in and stated he may need some help getting the poles up at Brackett Butte for the Baker TV District conversion. The Commission agreed to try to provide him some assistance. George thinks he has Plevna TV District completed.

Bob Wiedmer, Road Foreman and Alba Higgins, Shop Foreman met to discuss plans for the Road/Park Shop building project. Bob stated they discussed moving the approach going into the County yard with the MT Department of Transportation. This would be a 60' wide approach going to the east and the MT DOT knows this and they will move their drain for the Highway 7 Project. Richard Griffith is getting things together for a basic quote for the building. The County will have to move the sewer, water and electricity. The group decided they need to square the building off the highway, not the race track. Alba stated they are going to have to do something with the concrete for the creek channel; they are in the way of where they are planning to set the building. The Commission agreed they need to be moved to the old landfill; Alba will notify Kent Ehret, K & P Construction of this and if he has questions he can contact the Commission. Bob reported last week the blade operators were blading for most of the week; graveled Ag Lane Road. This week they will continue to blade if possible. Today a crew member is widening the approach in District 1. Crew members are cleaning car gates on the Chimney Creek Road in District 2. They will also be removing the snow plow mounts off the blades and getting ready for the new blades.

The group discussed the bridge by Jeanette Dye's which was built in 1955. Bob stated the wing walls are rotting but the end walls seem to be fine. It is a pipe bridge and it is in good condition; it is 7.92 meters in length.

The road crew is working on pulling the radios out of the old blades; Alba would like to order at least four more radios for the blades. Three of the blades have arrived in Williston, ND. The Commission stated he could do what he could, to get by for now and permission was granted to order four more radios.

Chuck Lee, DES/911 Coordinator stepped in to say the courthouse generator is loping and the alarm is going off, which is the same thing it was doing before. Alba stepped out to see if he could assist.

Chad Tronstad phoned to discuss receiving an agreement allowing him to utilize the County's easement as a private drive. Chad would like the right to use and maintain the easement. The Commission will discuss this further and contact the County Attorney regarding the agreement.

Don Buerkle and Dee Dee Geving, Fair Board members met to update the Commission on some Fair items. Commissioner Ranum asked if the Barn Manager cleans the stalls when the barn users move to the lower barns. Dee Dee stated no, we do that in the summer with our summer help. Dee Dee also brought a report that Barb had completed for the Commission. Dee Dee stated Pat Ehret, Fair Board Member is having huge issues getting a carnival. Dee Dee explained they have found some inflatable items to replace the rides. Fun on the Run is one place they can acquire the inflatable's but the Fair Board needs to find people to man them. They are also planning to have the mechanical bull and the rock wall, which are manned. They are planning to post the hours Barb Lechler, Fair Secretary is at the Fairgrounds. Dee Dee stated they are planning to start on the addition to the Exhibit Hall in May. Mark Wright is doing the work and Stevenson Design is to draw up new plans. A rough draft of the drawing was submitted for the Commission to view. Commissioner Rieger stated if Mike Stevenson makes some changes and Mark has already given you a quote then the cost may change. Commissioner Ranum asked if anyone had contacted the Fair Board regarding the use of tables and chairs for the Plevna 100 year celebration. Dee Dee and Don stated not to their knowledge. Clerk and Recorder stated she had spoken to Barb Lechler regarding

this and Barb stated they could use the old tables and chairs for the reunion but nothing new. Dee Dee and Don agreed that would be fine with them. Dee Dee discussed the building for the tractor. They plan to place the building in the south east corner. The building is meant to be a dual purpose building; it will be 16 x 30 building and they plan to use it for a free stage also. They plan to have a door on both ends of the building. Commissioner Rieger asked will it face North and South. Don stated it will be placed at an angle and may need to be built up due to drainage and snow issues. Permission granted to cut some drainage for the building and possibly contact Bob Wiedmer regarding the drainage work. Commissioner Afrank asked what condition the stage was in. Dee Dee stated it never did get coated, so they need to get that completed this year.

Jon Brosz, Brosz Engineering met to discuss the COE (Core of Engineers) and BLM information regarding the Anticline Bridge. Jon explained the COE permit is temporary and it will not carry on regarding the jurisdictional waters. Jon stated they will require the County to put down environmental fabric or weed free straw for the temporary approach. Commissioner Afrank stated we do not need a temporary approach; we already have an alternate route. Jon does not see any issues with this. Jon stated they need to put the project out to bid, Jon stated they can open bids on the 18th. Commissioner Afrank made the motion to proceed with the bid opening on the Anticline Bridge. Commissioner Rieger seconded the motion. Commissioner Ranum called for those in favor of this motion. 3 Ayes. Commissioner Ranum called for those opposed to this motion. 0 Nays. The motion carried unanimously. The group discussed moving the bridge; it will take two cranes and a flatbed to move the bridge.

Jon discussed the NBWS project. They have not heard from the EDA regarding the grant for the NBWS Project.

Commissioner Afrank asked Jon if there is a specific width a bridge should be for farm equipment. Jon stated not to his knowledge that is why Brosz has been going to culverts and box culverts due to the issues with farm and oil field equipment issues.

Rick with BLM phoned regarding a notice of staking with Fidelity regarding the two (2) proposed wells. Rick stated BLM has the mineral rights for those locations and Fallon County is the current surface land owner. Rick asked if the Commission would want to be onsite at Section 14-6-60 to view the prospected locations of the wells. Commissioner Ranum stated even if the Commission has concerns regarding the placement they will not move them will they. Rick stated if the County has concerns, BLM will try to mitigate it beforehand. Commissioner Ranum asked if BLM had contacted Tom Barth yet as he will be attending the meeting tomorrow. Rick stated he would contact regarding the time they plan to meet, etc. Commissioner Afrank stated the County had sent a map to Fidelity regarding the expansion.

Noon Recess

CLOSED-LEGAL

CLOSED-HIPAA/PERSONNEL

WORKER'S COMPENSATION DISCUSSION:

After much discussion, the Commission made the decision to send the letter of notification to MACo that we are looking at another quote for worker's compensation.

Debbie stated Frank Schwartz, EBMS Account Representative will be here on Friday, May 1, 2009. Frank will be meeting at the Hospital. Frank would like to take Debbie, Selena Nelson, CFO-FMC and the Commission out to lunch. Frank felt EBMS would not have the Health Insurance rates ready by Friday when he is here.

Jason Rittal, Executive Director-Eastern Plains Economic Development Corporation met to update the Commission on various projects he is working on. Jason stated he has heard nothing about the funding for the NBWS (North Baker Water Sewer) project. Jason plans to attend one of the TSEP workshops. Jason may have to attend a workshop for the Brownfield Funding regarding cleanup in the Counties. The EDA would like to give us some one time funding from Stimulus in the amount of \$13,840.00, to be utilized for the District. This funding needs to be matched by \$5,536.00. Dawson and Wibaux Counties

stated they will kick in some money also. Jason stated the EDA's fiscal year starts in April and you have to spend the funding received by them within that fiscal year. Commissioner Rieger made the motion to contribute \$1,000.00. Commissioner Afrank seconded that motion. Commissioner Ranum called for those in favor to signify by saying aye. 3 Ayes. Commissioner Ranum called for those opposed to signify by saying Nay. 0 Nays. The motion carried unanimously. Jason stated the EPEDC discussed hiring an employee but they do not know if they want to do that because they may not have money in place next year and they would have to let the person go next year. Commissioner Afrank stated they could possibly contract someone or use someone like SMART. Commissioner Afrank asked can we afford both Economic Development Groups and do we need two processes. The Eastern Plains Economic Development group will not use the local person do the administration of the North Baker Water Sewer District project as it is fairly complicated and Jason feels more confident doing it himself. Jason stated he may use SMART's assistance for some things rather than NBWS. The group discussed the Keystone Pipeline. Jim Atchinson was discussed; he is the Director for the Southeastern Montana Development Corporation.

Tim Barkley, Sheriff met to discuss some projects that need to be completed in the jail.

Tom Barth, Landfill Manager met to update the Commission on various issues. Tom would like to look at a new shop for the next budget year. Tom stated the economy has slowed the garbage down; not a bunch but it slowed down. Commissioner Afrank mentioned budgeting for a baler building and a new shop, however we are not sure what will happen with the revenues next fiscal year.

Tom stated he needs to dig a new asbestos pit as he has asbestos coming from the Ashland area that will fill the pit. Permission granted to have it contracted out.

CLOSED-PERSONNEL

Tim Barkley, Sheriff met to discuss some maintenance issues with the detention center exercise yard. Tim stated the yard needs repaired; there is a mess in there with the lawn. Tim would like to dig out the dirt and pour concrete. Tim stated the officers need to walk through it every time they let people out to exercise. Tim stated the door also needs to be repaired. Tim will get some quotes before he proceeds. Tim stated the work on the showers has not been completed by the plumber as of this time. Tim is wondering if they can get a hot water boost for Dispatch. Commissioner Ranum stated they need to make sure you have scald guard. Commissioner Afrank stated he did not think it was needed for a sink. Commissioner Ranum felt we did. Discussed the possibility of using the one we are taking out of Parkview I.

Tim briefly discussed combining the City/County Law Enforcement. Tim stated it may eventually happen no matter what and we may have to unincorporate the City and go to the Public for a Mill Levy to fund City and County Law Enforcement.

The Commission received the signed and approved agreement from the City of Baker regarding the compensation of the City/County Recreation Employees. That agreement is filed for record in the Clerk and Recorder's office.

The letter was written to notify MACo that Fallon County is looking into receiving quotes from various companies regarding worker's compensation rates. The letter is filed in the Clerk and Recorder's office.

A letter was written to Governor Brian Schweitzer requesting a declaration of disaster for Fallon County. The letter is filed in the Clerk and Recorder's office.

REPORTS RECEIVED:

Fair Board March 16, 2009 and April 13, 2009 minutes were reviewed and approved by the Commission.

March, 2009 Detention Center report. They housed 3 prisoners for a total of 5 County days and 36 City days. NO REVENUE was received.

REVENUES:

Continental Resources, Inc.-\$3,605.16-February Oil and Gas Royalties.

MISCELLANEOUS:

The Commission signed the Right of Way grants from the BLM and the Department of the Army Corps of Engineers for the amendment of ROW MTM-98176 for the Anticline Road regarding the removal of the Pennell Creek Bridge and installation of the cement culvert. Copies of the grants are filed in the Clerk and Recorder's office.

The Commission granted permission to replace the faucets in the Parkview I Apartments. The quote received to was for \$195.00.

The Clerk and Recorder's office posted a notice to all members of the public researching records in the Clerk and Recorder's office; need to notify someone in the office if they plan to take pictures of the document(s) or index(es) as they will be charged a fee, just as if they had copied it on the copy machine. This is mandated by law.

The Commission received notification from the FAA that they completed the financial closeout of AIP Project Number 3-30-0004-009-2005 on April 21, 2009. That notification letter is filed in the respective project file.

Pat Ehret, K & P Construction brought in a drawing of what the walls will look like at the new container site.

The Commission received the Easement for the Highway 7 Project whereby Douglas K. and Teresa P. Bruha grant unto Fallon County an easement and right of way for highway purposes in Section 35-7-59. The Easement is on record and filed in the Clerk and Recorder's office.

Fallon County received notification the City of Baker will hold a public hearing May 6, 2009 at 8:00 PM for the purpose of consideration of an increase in rates for public water, refuse and sewer charges to its consumers.

A letter was sent to Chuck Lee notifying him he was appointed to the Baker TV Board on February 17, 2009 and was never notified.

The Commission received a letter of resignation from Barbara A. Klang on April 15, 2009. Barbara's last day of work was April 17, 2009. The Commission wishes Barbara the best of luck in her new future endeavors.

Adjourned.

s/Deb Ranum, Chairperson

ATTEST:

s/Brenda J. Wood, Clerk and Recorder