

Monday, June 29, 2009

Deb Ranum, Chairperson and Donald Rieger, Member and Brenda Wood, Clerk and Recorder met for a regular Monday session. Heartfelt thoughts and prayers are with the Family, Friends and Co-Workers of Commissioner Dennis Afrank who passed away June 24th, due to a farming accident.

The Commission made the decision for all County Buildings and Departments (except Dispatch) to be closed from 9:00 AM – 1:00 PM on Tuesday, June 30, 2009, in respect of Commissioner Dennis Afrank and his family.

CLOSED-LEGAL

Kit Anderson, Planner stated the Planning Board meeting has been moved to next Monday.

Bob Wiedmer, Road Foreman and Alba Higgins, Shop Foreman met for the weekly road report. Alba stated he feels, certain items, should be bid for by sealed bid and not at the County Auction. Alba wondered if they should budget for three new trailers at approximately \$36,000.00 each. Commissioner Rieger stated he felt they should do some checking on various types of trailers. Bob felt possibly they could go look at some in the area.

Commissioner Ranum asked if a decision had been made regarding the fuel tanks. Alba stated he has not started to go fuel tank shopping as of this time. Alba explained anything less than 119 gallons does not have to be placarded, etc. Alba stated they are working on the crusher and conveyor.

Steffes gravel-Bob stated he still needs to check on that gravel. They plan to start chip and sealing next week the 27th of June. They plan to place a new culvert in one of the areas on the Anticline Road. This week a member of the crew and Bob are planning to do some gravel and scoria prospecting. The blade hands are finishing all the blading. The crew will also be hauling the cement forms for the creek channel to the old land fill. T & E will be here this week, working with the blade crew on the Accugrade for the new blades.

Jason Rittal, Executive Director-Eastern Plains Economic Development Corporation; Wayne Sander, Ken Griffith from the North Baker Water Sewer District and Jon and Dan Brosz, Brosz Engineering met to discuss the grant funding for the NBWSD. Jason stated NBSWD was on the review agenda (2) Thursday's ago but apparently there is a big project in Cedar Rapids, Iowa that they are also working on. Jason sent letters to Rehberg, Baucus and Tester in hopes of getting some backing from them. Jason stated the EDA funding is still hopeful, but, they are switching the timeline on them. Jason feels they will hear something the end of July; no one can do much about the timeline. Jason stated Iowa is planning to build a convention center and EDA has never funded them before; that would be a 34 million project. Jason feels we need to bring in the delegation. Jason feels we need to send the information to Rural Development but is sure Rural Development will not want to see all of that if there is a possibility that EDA may award NBWSD the funding and then have it all pulled out from under RD. Jon stated the NBWSD still has some things that need to be completed as far as easements for the District. They stated they will also have to figure a base bid break line and an alternate. Ken stated we will not be ready for a month anyway. Jon stated no and Rural Development will take three weeks also. They will give the USDA the full packet and USDA will then come back and tell the District what they will give for grant and loan. Ken asked if the NBWSD should write a letter to the delegates also. Jason felt it would be a good idea. Jason would like to have Baucus get involved as he is a strong supporter of the EDA. Jason feels letters from the Commission would also be a good idea.

Bob Wiedmer, Road Foreman and Dan and Jon Brosz, Brosz Engineering met to discuss bridges within Fallon County. Bridge near Jeanette Dye's property-Decision was made to get it surveyed. Stark Bridge-Need to get the bid ready for it. Low water crossing near Lutts'-Bob stated it is old and crumbled. Commissioner Ranum asked if it would be better to bid all three bridge projects at the same time. Dan will think about it, they have done that before such as schedule 1, 2 & 3. Commissioner Ranum stated they

need to be sure and get in contact with the Wibaux County Road Foreman as the low water crossing is partially in their county. Dan stated they will start going through all the County bridges and complete the inspections for them.

Noon Recess

Reconvened at 1:00 PM with all present.

The Commission held the Public Land Auction at 2:00 PM with Tim Barkley, Sheriff as auctioneer; Brenda Flint, Sheriff Clerk, assisted; Commissioner's Ranum and Rieger; Brenda Wood, Clerk and Recorder and John Drange, Lessee were in attendance. The legal description of the property for sale is: Lots 1, 2, 3 & 4, E1/2W1/2 Section 30, Township 6 North, Range 55 East of the P.M.M. The Commission had the property appraised and received an appraisal of \$43,200.00. Tim read the Notice of Public Auction of County Land aloud. Tim asked for a bid of \$38,800 or 90% of the appraised value. No bid was received. Tim no-saled the property and the auction was closed.

After the auction the Commission made a phone call to Rich Batterman, County Attorney on how to proceed with the sale of the property. Rich stated per 7-8-2218, MCA-Procedure if property not sold at public auction. The law reads: After notice and appraisal are given as provided in 7-8-2212 and 7-8-2214, if no bid or offer is made for any property offered for sale at public auction, the Board of County Commissioners may, at any time after the auction, sell the property at private sale and may at the private sale accept as the purchase price an amount not less than 70% of the appraised value of the property. Commissioner Rieger asked what amount John would offer the County. John agreed to pay the County \$30,240.00 or 70% of the appraised value. The Commission agreed to accept the offer. A deed will be issued to John A. Drange-876 Road 431-Ismay, MT 59336.

Rich Batterman, County Attorney met to discuss County business. Commissioner Ranum asked who carries liability insurance on County leases. Rich stated the County does not carry the liability, the land owner does. Commissioner Ranum asked if so, can the landowner control the access to the land. Rich stated no, it is still public land; they only have control for lease purposes.

The Commission received a letter of interest from Tom Owens to be appointed to the Lake Committee. Commissioner Rieger made a motion to appoint Tom to the Lake Committee. Commissioner Ranum stepped down from the Chair and seconded the motion. Commissioner Ranum called for all those in favor of this motion to signify by saying aye. 2 Aye. Commissioner Ranum called for those against this motion to signify by saying nay. 0 Nay. 1 Absent (position vacant). The motion carried. A letter will be mailed to Tom notifying him of this appointment.

Chuck Lee, DES/911 Director stated Norman Parrent, Chuck's Supervisor for DES stated he needs to appoint a Deputy for DES; it is a requirement. Chuck stated that would not be paid position. After some discussion the decision was made to ask Dale Butori, Weed Supervisor if he is interested in this position.

The Junk Vehicle Bid Opening took place at 2:00 PM with no one in attendance. Commissioner Ranum read aloud the only bid received, which was from Baker Metal and Recycling (Lee Moore). Cars \$80.00 each and \$1.85 per mile. Commissioner Rieger made a motion to accept the bid from Baker Metal and Recycling for the above stated amount. Commissioner Ranum stepped down from the Chair and seconded the motion. Commissioner Ranum called for all those in favor to signify by stating aye. 2 Ayes. Commissioner Ranum called for all those against to signify by stating nay. 0 Nay. 1 Absent (position vacant). Motion carried. A letter will be sent to Lee Moore and an agreement will be drawn up by the County Attorney.

The Commission signed Budget Resolution 6-29-2009 due to certain budgets falling short of necessary expenditures; that Resolution is filed in the Clerk and Recorder's office.

MISCELLANEOUS:

The Commission signed the FY2010 Contract for Legal Services between Fallon County and Russell L. Culver for the purpose of providing legal services, as prescribed in the Comprehensive Older American Act Amendments of 1987, to persons sixty (60) years of age or older who reside within the boundaries of Fallon County. That agreement is filed in the Clerk and Recorder's office.

Commissioner Ranum and Mayor Hornung signed outlay report and request for the 3rd reimbursement for administrative, architectural and engineering fees for the extension of the Baker Municipal Airport.

Commissioner's Ranum and Rieger and Albert R. Batterman, County Attorney signed the State of Montana Standard Lease Contract between Fallon County and the Department of Revenue for a two year term. The lease shall begin July 1, 2009 and end June 30, 2011. This contract is filed in the Clerk and Recorder's office.

The Commission signed the revised copy of the cold millings usage agreement from the Montana Department of Transportation. The quantity of available millings was refined from 12,700 tons to 12,200 tons. These were earlier agreed to be stockpiled at the Fallon County Road Department yard; that portion of the agreement will remain as is.

The Commission wrote a letter to the Town of Plevna on behalf of the Veteran's Memorial, to ask the Council for a monetary donation toward the memorial.

The Commission accepted the quotes from Top Notch Coatings to clean and seal the North and South Parking lots of the Courthouse for a total of \$6548.08; for the Baker Senior Center for a total of \$2,131.64.

The Commission received a note from Daniel R O'Connor, O'Connor and Sons stating he does not oppose the closing of Road #14-Petition #22.

The Commission wrote letters of support, on behalf of funding from EDA for the North Baker Water Sewer District Project, to Senator Baucus, Senator Tester and Representative Rehberg.

Commissioner Ranum signed the agreement between Fallon County and Fallon Medical Complex for FY 2010 to provide meals for the elderly or those eligible according to Federal guidelines. The caterer agrees to comply with the Older Americans Act Title III nutrition standards in preparing the meals. This agreement is filed in the Clerk and Recorder's office.

CLOSED-HIPAA**JOURNAL:**

Commissioner Ranum signed Journal 718-to correct coding of various claims and funds for fixed asset purposes. This Journal is filed in the Clerk and Recorder's office.

REVENUES:

\$3,000.00 Donation received from Cedar Creek Oil and Gas for the Council on Aging. Fallon County wishes to thank you for your kind donation for such a good cause.
\$5,795.21-Continental Resources, Inc.-April, 2009 Oil and Gas Royalties
\$3,233.46-Encore Operating, L.P.-April and May, 2009 Oil and Gas Royalties
\$216.29-Baker Air Service-10% of May, 2009 Aviation Fuel.

Adjourned.
s/Deb Ranum, Chairperson

ATTEST:

Brenda J. Wood, Clerk and Recorder