

Monday, February 2, 2009

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

Bob Wiedmer, Road Foreman met to present his weekly report. The road crew has completed hauling scoria on the Cabin Creek Loop Road going past Joe Nemitz's. They have also completed patching the bad spots east of Nemitz's place traveling toward Cabin Creek Road. Today they will be repairing the bad portions of the North end of the Westmore Road and placing scoria on Dale Buerkle's road. The group discussed roads in need of repairs. The County discussed how many miles of road the County has easement on, regarding maintenance of the Anticline Road. Some of the roads are getting so bad that a car will not be able to travel them soon. Bob stated they have been graveling the North Plevna Road when they are able. They plan to finish working on the east end of that road. The County needs to repair the portions of the Anticline Road they have easements for. Commissioner Afrank stated they need to complete the first five miles for sure. Bob stated they are also working on the Buerkle Access and the Westmore Road (portion going into Lynn Householder's). They have plans to scout around for more gravel in various properties such as Steffes's and Hagadone's; also need to look on Nemitz's. Bob stated Dave is going to start crushing scoria again also.

Spence Huether, Road Technician joined the discussion and spoke regarding various road issues within Fallon County. Spence will work on getting easements from those that have not returned them for other roads that branch off the Anticline Road.

Noon Recess

#### **CLOSED-LEGAL**

The Commission reviewed and adopted resolution 2-2-2009, Amending the Salary for the Fair Barn Manager and that resolution is filed in the Clerk and Recorder's office.

The Commission reviewed and approved January, 2009 payroll and withholdings in the amount of \$384,828.29 and they are filed in the Clerk and Recorder's office.

Clint Ehret met to discuss the North Baker Water Sewer with the Commission. The Commission made the decision to assist with the first phase of the water and sewer project. Clint has questions regarding hook ups for C & D Yards. Ken Griffith has agreed to meet and talk with him about the projection costs of water and sewer. Clint stated if the fees have not changed from the first time it was discussed with him, he can not afford that.

The Commission reviewed and approved the January, 2009 accounts payable in the amount of \$249,327.52 and they are filed in the Clerk and Recorder's office.

Fallon County received a letter notifying them the 2008 annual report was due to the Department of Administration by December 31, 2008. Penalties as set out in Section 2-7-517, MCA, and Sections 2.4.403 and 404 of the Administrative Rules of Montana, may be imposed on the County. The Clerk and Recorder answered the reason the report had not been filed was because we are training new personnel to complete the annual report; Fallon County is in the process of completing the annual report at this time.

#### **CLOSED-PERSONNEL**

Tom Barth, Landfill Manager and Kit Anderson, Landfill Supervisor met to present the Commission with an update on various activities at the Coral Creek Landfill. Commissioner Ranum stated they had received a good report on the cleanliness of the equipment at the Landfill and also the cleanliness of the office and shop. Tom appreciated hearing that information.

Tim Barkley, Sheriff was called to come in to discuss the Consolidation of the City Law Enforcement with the Sheriff Department. Tim stated he was asked to sit in on the

interviews for the City Police applicants and did so. Tim stated he had called Rod Morris, City Council Member and told him to pull the plug regarding the consolidation.

#### Recess

Tuesday, February 3, 2009

Reconvened at 10:00 AM with all present.

Mike Rinaldi, Sanitarian met to discuss the NBWS Certificate of Surveys. Mike stated there are issues with them, due to the fact that they have taken a parcel out of a tract of land, now they have created two parcels by doing so. Mike feels he can attach a caveat to the COS's and this should assist in making it feasible for them to be placed of record.

Jon Brosz, Brosz Engineering met to discuss the North Baker Water Sewer easements. Jon stated they are having problems getting easement from Dixon-Eide, which is the Bear Paw site. Jon explained he had to redo the check list of 14 things they needed for the application process for the Rural Development grant. Jon also stated they had to have Bruce Moore re-sign everything. Jon is now only waiting on one thing from the NBWS Attorney before the application can be sent off for Rural Development to review. Jon explained we were supposed to have the grant/loan package already in hand before we went out to bid. Jon explained they can hold a bid for 60 days and it would be about then before they would know anything, but would be 90 days before they would receive the money. Jon felt it would be 30 days before they are finished reviewing the bids. Jon also stated they are hoping to hear something regarding the Stimulus package in 30 days. Jon has also spoken to Jim Knatterude, Treasure State Endowment Program (TSEP) and TSEP is looking at the unfunded programs that may still be funded; they will know that in approximately 30 days also. Ken Griffith, NBWS Board Member joined the discussion. The Commission asked Ken how much he felt it would cost the users and how many hook ups there would be. Ken stated there would be 75-80 homes and businesses and the businesses would pay approximately \$150.00 per hook up for sewer and water. Commissioner Afrank asked who would be taking care of the water sampling. Ken stated Don Hinman will be the operator; he has been doing this for them all along already and he is licensed to take the samples, etc.

Jon also met to discuss the Pennel Creek Bridge. Jon needs to know if the Commission plans to salvage the bridge plank and pipe from the bridge or if they plan to move the bridge in one piece; he needs to know how to write up the bid. The Commission will have Bob Wiedmer, Road Foreman look at how much of the bridge there is to salvage. Jon also needs to know if the County will be in charge of hauling the gravel. The Commission agreed the County would haul the gravel to surface the road and do the finish work on the surface of the road. Jon will work with Spence Huether, Road Technician regarding the amount of right of way they will need to ask for from the BLM when they file the permit applications.

#### Noon Recess

Doug and Donna Rowe met to discuss the road they built into their property in the SW1/4SW1/4 of Section 8 Township 4 North Range 59 East. They would like to ask for surfacing for this road. The group discussed when the Rowe's plan to build; Doug and Donna stated some time this Spring. Commissioner Rieger asked if the Commission could obtain some type of proof they are building before pursuing the surfacing project. The Rowe's will bring proof sometime tomorrow for the Commission. The Rowe's agreed to sign easements for the following:

Douglas L. and Donna L. Rowe - Section 8-4-59-Farmstead and Longview Road.

Spence Huether, Road Technician met to discuss the Pennel Creek box culverts. Spence will file the amended easement with BLM for this bridge.

Commissioner Ranum phoned Todd Enders, Game Warden about the dead fish in the bottom of the Baker Lake, previously reported to Commissioner Afrank. Todd explained he would let the Fish Wildlife and Parks people know about this and have them report back to the Commission.

Mike Rinaldi, Sanitarian discussed the dead fish issue with the Commission. Mike stated part of the problem is there is so much snow on the lake and it is not allowing the light in. This then does not allow the plants to grow to create oxygen for the fish to thrive. The second part is there is no fresh water coming into the lake at this time which also causes problems.

Fish Wildlife and Parks phoned the Commission while Mike was in their office and stated they would put this on their list of things to do in March or April.

Mike also discussed the proper process of receiving, reviewing and finalizing a plat.

The Commission received a quote from Tumblewood Development, Inc. for the modification of two restrooms in the Fallon County Courthouse so they meet ADA codes in the amount of \$9,750.00. That quote is on file in the Clerk and Recorder's office; no decision at this time.

The Commission received a quote from Rieger Fencing and Contracting to install chain link fence at the softball complex for the backstops. The quote included labor, equipment and materials in the amount of \$10,512.15. Permission was granted to proceed with this project.

Kit Anderson, Planner met to discuss her book for dummies, regarding various procedures in the Planning Department, with the Commission and presented the Commission with the fact sheet presented to the Planning Board for the amended plats for the Meadows Minor Subdivision and the Meadows 2<sup>nd</sup> Filing. Kit also submitted her 2008 Planning Department Year in Review Report. That report is on file in the Clerk and Recorder's office.

The City Council cancelled their meeting with the Commission.

The Commission agreed to pay 2009 Chamber Membership Dues but declined extra 25.00 payment for linking our site to the Chamber web site due to the fact their site has not been kept current.

Recess

Wednesday, February 4, 2009

The Commission reconvened at 10:00 AM with all present.

Spence Huether, Road Technician and Bob Wiedmer, Road Foreman met to further discuss the Pennel Creek Bridge. Pam Wall, BLM wants an alternate route shown while repairing the bridge. Bob and Spence brought the route they mapped out, to get Commissioner approval. The Commission approved the route they have mapped out. Bob stated he would like to use the bridge from Pennel Creek on Bridge Road. Bob stated the bridge would work there and is only about 1' short. Commissioner Rieger stated Bob should let Brosz know they are going to try to salvage the bridge and use it on Bridge Road. The group further discussed getting the rest of the easements for the Anticline Road.

**CLOSED-HIPAA**

**ROAD EASEMENT SIGNED:**

Roddy M. and Maxine L. Rost-Section 32-5-59 – Bergstrom Hill Spur.

Noon Recess

The Commission attended the North Baker Water Sewer bid opening held at 1:30 PM, Wednesday, February 4, 2009, in the Library basement. The NBWS Board tabled the bids until all of the numbers and everything was verified.

The North Baker Water Sewer Board discussed various easements they still have not received and visited with Clinton Ehret about how many hook ups he will need to have and pay for or if they can all be placed on one meter. The Board will look at this further and get an answer to Clinton.

Jon Brosz, Brosz Engineering stated they hoped to finish up the bids by March 1<sup>st</sup>.

This meeting was adjourned.

Commission resumed business in their office.

The Commission reviewed and approved minutes for January 26, 2009.

The Commission reviewed the quote received from D.O.Brown LLC for sanding all epoxy finishes, priming bare metal with metal primer and painting two top coats of epoxy finish in the Fallon County Jail in the amount of \$13,280.00. The Commission approved the completion of this project.

Recess

Thursday, February 5, 2009

David Espeland, CEO and Selena Nelson, CFO, Fallon Medical Complex cancelled their meeting due to obligations that came up unexpectedly.

The Commission held the following meeting due to the cancellation of the above meeting:

Steve Spriggs and Gerald Spriggs, ENCORE Operating E & P; Bob Wiedmer, Road Foreman and Spence Huether, Road Technician met to discuss the Anticline Road. The Commission asked how the other County's were handling their portions of the oilfield roads. Steve stated Dawson County claims the road; Wibaux County blades several times a year and Prairie County has not started to take care of the road. Steve stated ENCORE truly appreciates what the County is doing for the road issues; Gerald agreed.

The Commission appointed the following Board Members following the City's approval:

Roger Meggers-City/County Appointee at Large for the Airport Zoning Commission.  
Mark Jacobsen-City/County Appointee at Large for the Airport Commission.

The Commission sent a letter thanking Cyndi Mayes for her dedicated service to the position on the City/County Appointee at Large for the Airport Commission.

The Commission also sent a letter thanking Darin Meggers for submitting his name for the position on the City/County Appointee at Large for the Airport Commission.

The City of Baker submitted a letter to the Commission regarding the reappointment of Dennis Twedt as the City Representative for the Airport Commission.

The Commission would like to thank all of those who have served, are newly serving, and continuing to serve, as their dedicated service does not go unnoticed. They would also like to thank all those who submit their names to serve on these boards as it is so hard to get people to volunteer for any Boards.

Noon Recess

The Commission reconvened at 1:00 PM, with all present.

Mona Madler, SMART Director stopped in the Clerk and Recorder's office and asked about receiving the money for the Port Authority. The Clerk and Recorder told them to fill out a claim and Fallon County would see to it they get their money. After further discussion with Faye Koenig, Treasurer/Assessor, it was determined the Port Authority

will get their money through the Treasurer. Commissioner Rieger phoned Mona and explained this to her and asked the Commission be sent a monthly reporting from the Port Authority, along with their minutes. Mona felt that would not be a problem.

Faye Koenig, Treasurer/Assessor asked if the Stanhope Home Owner Association cash balance could be used to pay for the Stanhope Home Owner Association's delinquent taxes. The Commission stated we should find out from Rich Batterman, County Attorney if this would be allowed or not. Commissioner Ranum asked if we could also find out if we could then get this out of designated park status.

#### **CLOSED-LEGAL**

The Commission signed the following years of service certificates for various employees named below and wants to thank the employees for their valued years of service to Fallon County. Those employees are as follows:

Dale Butori, Weed Supervisor-5 years  
Eric Kary, Golf Supervisor-5 years  
Kathy Leischner, Dispatcher-5 years  
Sandy Pickett-Home Chore-5 years  
Spence Huether, Road Technician-5 years  
Larry Dahl, Cemetery-10 years  
Carla Brown, CCOA Coordinator-10 years  
Gary Napton, Road Crew-15 years  
Roland Maier, Road Crew-15 years  
Sharon Schwartz, 4H-Leader-15 years  
Barbara Ketterling, Deputy Treasurer/Assessor-20 years  
Billy Singer, Road Crew- 30 years  
Faye Koenig, Treasurer/Assessor-35 years

#### **CLOSED-PERSONNEL**

##### **MISCELLANEOUS:**

The Commission received proof from the Rowe's that they are building in Section 8-4-59 and the road can be surfaced when the Road Department gets this scheduled.

The Commission received the right of way grant from the Department of Interior, BLM for the Beck Access Road in Section 6, Lots 6 and 7, Township 9 North, Range 60 East.

The Commission received a copy of the Registration and Licensing for three storage tanks at the Fallon County Road Department. License effective 2-1-2009 to 1-31-2010.

#### **CLOSED-PERSONNEL**

##### **MONTHLY REPORTS:**

November, 2008 Ambulance Report was received-They had 4 runs; total charges for the month of \$2,100.00; payments received in the amount of \$9,358.16; adjustments made in the amount of \$288.84 and sent to collections in the amount of \$6,861.88.

##### **JOURNALS APPROVED:**

Journal 449-change coding for Claim accidentally coded to incorrect account.

##### **REVENUES:**

ConocoPhillips Company-January, 2009 Oil and Gas Royalties -\$2,259.01  
ENCORE Operating, L.P.-January, 2009 Oil and Gas Royalties -\$1,885.32  
Sands Oil Company-January, 2009 Oil and Gas Royalties -\$282.57  
Baker Air Service-January 2009-County percent of fuel sold for the month-\$97.91

Adjourned,  
s/Deb Ranum, Chairperson

##### **ATTEST:**

s/Brenda J. Wood, Clerk and Recorder