

Tuesday, October 21, 2008

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

Bob Weidmer, Road Foreman discussed the Cabin Creek Road. Commissioner Rieger stated we do not want to blade either side of the road until this Anticline road issue is settled. Reinhard Barth, Outside Building Maintenance joined the group regarding the snow bucket quotes he received. Normont Equipment of Great Falls-\$1,625.00 + shipping and Dakota Farm Equipment of Bowman, ND, 1 yard bucket for \$1,125.00. Permission granted to get the bucket from Dakota Farm Equipment. Bob gave his report; Brosz looked at the bridge on Bridge Road. Barkley Bridge was discussed; they ordered (2)-8' culverts and will get them placed. Griffith will have to use the track hoe to work on this bridge.

District#1-blading; will try to get to the bridge, weather permitting.

District#2-blading; mowing the Shelter Belt Spur Road and new easements.

District#3-blading.

Alba Higgins, Shop Foreman met to discuss the truck the carnival donated to the Fairgrounds. Can he move it to the old landfill? Permission granted. After further discussion, they will use fuel tanks and anything else salvageable, then it can be hauled to Baker Metal and Recycling.

Nic Stevenson, Stevenson Funeral Home met to discuss County Wide Vault requirement for the Cemeteries. Nic talked about implementing the vault requirement as they did a lot of work re-plotting the Bonnevale Cemetery. There is an additional cost of \$1,090.00 or \$1,280.00 for concrete or fiberglass and they will not fill up with water. It is a tongue and groove lid with composite on top to seal. If they have to move someone they can pick up the entire vault. Nic stated fiberglass does not hold up as well as the cement due to movement. Nic stated 90% of the people are now using a vault. Commissioner Afrank asked if this would be for every cemetery. Nic stated yes it would be for them all. Commissioner Rieger asked what we need to do. Nic stated the Commission will need to pass a resolution. Commissioner Rieger asked if Nic could get a copy of a resolution from another County for us to go by. Nic will do that. The entire Commission feels we should move forward with this. Commissioner Rieger made the motion we proceed with a resolution for a County Wide Vault requirement; Commissioner Afrank seconded the motion. Commissioner Ranum called for a vote, 3 Aye and 0 Nay, Motion carried.

The Commission signed the following Road Easements:

William A. Moline-Timber Creek Road in Section 11-7-58.

Kay Varner, Wayne Moline and William A. Moline-Ash Creek Road West in Section 8-10-59.

Losing, Inc.-Bergstrom Hill Road-Section 28-5-59; Willard Road East in Section 14-5-59; Wrangler Trail and Farmstead in Section 29-5-60.

Noon Recess

Reconvened at 1:00 PM.

Sheena Veazey met because she was not on the agenda last week only appeared during public comment and wanted to make sure she updated the Commission. She stated this same issue came up two years ago regarding not putting the fees on the agenda; she had the minutes from a meeting held two years ago with the Commission. It was stated then, if there were any changes, they were supposed to let the stall renters/users know. Her son is a 4-Her and will be using the barn also so she wants to know if he will be paying a fee for his 4-H events and for those events that they do on their own. Sheena reported she did what she was supposed to do and went to get on the agenda and they do not meet again until the 3rd of November. Sheena stated she feels the money may be a good idea but she feels the money should go strictly toward the barn. The Clerk and Recorder explained the money comes in to the Fair Fund not a special barn account. Sheena wondered what policy rules or orders the Fair Board needs to follow. Sheena does not feel they meet on a regular basis and would have to check for an agenda

every day. Commissioner Rieger suggested she call Barb Lechler, Fair Secretary and find out when they are meeting. Commissioner Afrank called Barb regarding the agenda and its posting. Barb stated the agenda is posted at Fairgrounds, Courthouse and at Reynolds. The Fair Board did not want to meet the Monday after the Fair so they are off schedule. Commissioner Afrank told Barb they need to stay on a schedule and if it does not work then the public needs to know. Sheena feels it would be a good idea if the Commissioner's attend the meeting on November 3rd. Commissioner Afrank feels the Commission needs to meet with Fair Board. Sheena stated she is meeting with them. Commissioner Afrank stated, no, we need to meet with them also. Commissioner Rieger stated he would like to look through the minutes of that meeting. Sheena asked again, how are they supposed to attend their meetings if they never know when they are having them. They have a schedule of times when you can do public comment and that is what we would do. Sheena stated October 7th Barb told Sheena the barn users fee was being assessed in the amount of \$25.00. Sheena asked what it was for and Barb stated it was for sand. Sheena stated, 3 days later someone else was told they were not going to be using it for sand. When asked if there was a day rate or family rate, Barb told her they had not gotten that far she would get back to them; now there is a family rate per Dee Dee of \$75.00. They changed their minds about the rates and there was no other meeting that they know of. Sheena stated October 6th was the date of the Fair Board Meeting. Commissioner Afrank called and asked if Barb would e-mail the Commission the unapproved minutes from the October 6th meeting. Barb did e-mail and the Commission read them over. Dee Dee Geving, Fair Board Chairperson stopped in to see if the Commissioner's needed her to answer any questions. The Commission asked Dee Dee what day of the Month the Fair Board meets. Dee Dee stated it is Monday's; they shoot for the 3rd Monday but that does not always work due to other things people have going on in their lives. Commissioner Afrank asked if they could get an e-mail sent regarding the agenda to all barn users that have e-mail. Dee Dee feels that Barb could e-mail the agenda to the barn users. Commissioner Afrank asked if the Fair Board could suspend the user fee until the Fair Board could meet with the Commission. Dee Dee was agreeable to that. Dee Dee asked if they felt the fee is too much. Commissioner Rieger stated yes because they were not clear on the amounts. Dee Dee stated we made it very clear. Commissioner Afrank asked if they are making sure the people that use the barn provides a certificate of liability. Dee Dee stated the user fee is implemented to help maintain the barn. They wanted to remove the sand, etc. before the stall users moved in as they have been receiving complaints regarding the holes in the barn. When asked about non-profit organizations Dee Dee stated non-profit organizations would not be charged. Dee Dee stated October to May 31st - is the dates they are in the barn so that is how they set their fees to run. Dee Dee left the conversation. Sheena stated the barn is not only used for horses but is used for other things. Sheena stated how they will regulate it is the main question she has. Please make sure when you meet with the Fair Board that you ask them all the questions that I have asked you.

Roger Meggers, Airport Manager brought a copy of a letter written to him by Senator, Max Baucus regarding the Air Force's proposal to expand the Ellsworth Air Force Base bomber training airspace into large areas of southeastern Montana, known as the Powder River Training Complex. Roger expressed this would negatively impact the quality of life for Montanans in many ways. Senator Baucus firmly agrees with all those apposed to the expansion.

The Commission approved the October, 2008 mid-month accounts payable in the amount of \$351,160.05 and those claims are on record in the Clerk and Recorder's office.

Lynn and Doris Householder and Spence Huether, Road Technician met to discuss roads pertaining to Lynn and Doris. Regarding Road Easements-Lynn stated until about 4 or 5 years ago that was a County Road. The main road we also have an easement on; that was a County road just as before. Commissioner Afrank stated throughout Fallon County there have been roads that were thought to be County Roads and there was no documentation that Spence could find. Legislation changed the rulings and now we can pursue getting the easements for those roads. The Householder's will try to meet with Rich Batterman, County Attorney regarding the wording and may return to sign easements at a later time.

Brenda Wood, Clerk and Recorder excused herself. Josie Rieger, Clerk took minutes.

The Commission appointed board members:

One open position on NBWS and only one person put in a letter of interest-Wayne Sander. Commissioner Afrank made the motion to appoint Wayne Sander to the North Baker Water Sewer Board. Commissioner Rieger seconded the motion. All in Favor. 3 Ayes. 0 Nays. Motion carried.

One open position on the Fair Board and there were two applicants-Donald E. Wood, Jr. and Courtney Dietz. After some discussion, Commissioner Afrank made a motion to appoint Courtney Dietz to the Fair Board. Commissioner Rieger seconded the motion. All in Favor. 3 Ayes and 0 Nays. Motion carried.

Brenda Wood returned to take minutes.

Fidelity wants to drill three (3) wells on Section 14-6-60. The Commission will contact Barry Damschen and see if Spence Huether, Road Technician can get some coordinates mapped out. Spence called and Fidelity does not have GPS coordinates as of this time.

Nicole Brown, Justice of Peace met to update the Commission on the workings of her office. Nicole feels a little more comfortable now that she has had some time to absorb this transition. Judge Moore is the training Judge and came down and trained and assisted and presided over court; she had a chance to see how he handled things also. Regarding her certificate; Nicole has 6 months to take the test and already has the waiver of training. There is a National Judicial College in Reno, Nevada that is having some classes she would like to attend. Nicole would like to know if the Commission would be opposed to her taking that training because she likes to be the best at her job. She would like to apply for a scholarship to assist with the cost of this. The Commission would like to know the cost first and find out when or if it would be held. Discussion regarding her budget currently. Nicole would like to increase the office hours for 3 days a week. Nicole stated they are already scheduling into January; Tuesdays are appearances and the workload is much different than when those hours were set. Discussion regarding hiring to fill the empty position. Nicole does not feel she wants to hire anyone at this time. Nicole would like the Commission to consider the extra hours. Commissioner Ranum asked are you going to talk to the City Council. Nicole stated yes she had planned to do that. Report back to the Commission after talking to the City Council. Nicole asked can she decide to hire a person at a later time. The Commission stated this would affect the budget, so this would need to be reconsidered at least the hours and the new person. Nicole will find out about the waiver to see if it carries over from one Judge to another. Nicole stated the substitute judges do not carry over.

OTHER BUSINESS:

Mike Rinaldi, Sanitarian met to discuss some of the plats and the caveats he plans to file with them. Solar Bee is taking out the aerators today. Mike told them to make sure they have all their marks and their anchors. Mike has the new maintenance agreement for solar bee. Mike and Dennis Afrank are the new contacts because Wayne Sander is on no longer on the Lake Committee.

Commissioner Rieger left for the day to attend a meeting.

Spence Huether, Road Technician met to discuss the roads on the Anticline.

Permission granted to order a new copier for the office machine room.

The Commission approved the quote from Sandi Caron for labor and materials to fill holes, spot prime and paint two coats on two store rooms and one office in the amount of \$2,355.00.

The Commission reviewed and approved the following reports:

Baker Rural Fire District September, 2008 minutes with warrants paid in the amount of \$18,182.19.

Plevna Rural Fire District September, 2008 minutes with warrants paid in the amount of \$45,153.48.

AUCTION-AIRPLANE HANGARS

The Commission met in the Courthouse lobby at 4:00 PM for the Airplane hangar auction. Those in attendance were: Undersheriff Grube; Sheriff Barkley conducted the auction; Rod Johnson, Roger Meggers, Alan Wang, Everett Mitchell, Jerry Lang, Steve Spriggs and John Rieger, members of the public. Sheriff Barkley started the Auction promptly at 4:00 PM.

Sheriff Barkley stated the four hangars were located on City property at the Baker Municipal Airport. All hangars are identical and after purchase of hangars the Baker Airport Commission will issue the hangars upon proof of payment in full to Fallon County. Hangars are 42' x 40'; 13 ½' sidewalls, bi-fold doors, cement floors and are electrically equipped. The total cost of the hangars was \$48,598.24. Buildings may not be moved; may only be used for housing an airplane; may not be used for storage. Winning bidder must enter into a lease with the Baker Airport Commission; is responsible to properly insure the hangar and for all taxes due and owing now and in the future. Payment of 10% of the bid acceptance will be due and payable to Fallon County by 5:00 PM, Tuesday, October 21, 2008. Balance is due and payable to Fallon County by 5:00 PM, Friday, October 24, 2008. Bill of Sale will be prepared, after full payment is received, within a week to make sure all legal descriptions are correct. Sheriff Barkley stated they would start the sale with the hangar on the furthest south side as being Hangar #1 and so on up to Hangar #4.

Sheriff Barkley started the bidding off at \$48,598.24. No bids received for that amount. Since Sheriff Barkley received no bids at that amount, he no saled all hangars at that amount and lowered the bid to the next level which was \$43,738.42 and again received no bids. Commissioner's Afrank and Ranum and Clerk and Recorder entered the auction at 4:05 PM. Sheriff Barkley no saled the first piece of property and stated this was as low as the Commission was able to go by law. Everett asked what are you going to do with this property if they no sale. Commissioner Afrank stated they will then become County property. Everett then asked if they would consider reopening the bid again. Sheriff Barkley offered the 1st hangar again for \$43,738.42- Rod Johnson placed a bid and asked for Hangar #2. Sheriff Barkley offered the 2nd hangar for \$43,738.42. Everett Mitchell bid and stated he would take two hangars-Hangar #1 and Hangar #3. Sheriff Barkley offered the 4th and final hangar for \$43,738.42. Allan Wang bid and stated he would take Hangar #4. Sheriff Barkley then concluded the sale and each of the three successful bidders came to the Clerk and Recorder's office to pay the required amount down.

Adjourned
s/Deb Ranum, Chairperson

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