

Monday, July 1, 2013

**CONVENE 9:00 AM**

**PRESENT**-Deb Ranum, Chairperson; William L. Randash and Steve Baldwin, Members and Brenda J. Wood, Clerk and Recorder

**9:00 AM Craig and Wanda Pinnow and Tom Kachel**, Landfill Manager also joined the meeting.

**Land**-Possible Land purchase from the Pinnow's was discussed; the Landfill is located on 47.7 acres, which the Pinnow's are willing to sell.

**Lease**-Wanda stated the County never did fence out 80 acres for the lease; all buildings could stay where they are and move a small portion of the fence across the top. Leases for wind towers will remain as they are; no one will gain or lose towers by this transfer.

**Asking price**-Wanda explained after checking on the Commercial use value, they would like \$11,000 per acre. The Pinnow's feel since the County made the land Commercial, Fallon County should pay the Commercial price. The Pinnow's would like this amount over a 5 year period.

**Grazing**-Wanda discussed their cattle cannot graze due to all the dust. Due to the Methane the land cannot be grazed for 30 years after the expiration date in 2019.

**Minerals**-Wanda stated the Railroad owns the minerals on the land.

**Decision**-The Commission stated they would discuss further and render a decision.

**Sell more land**-Commissioner Ranum asked if the Pinnow's would sell more land, for expansion, at this price. Wanda did not know where the County would expand with all the existing pipelines, etc.

**10:00 AM Bobby Wiedmer**, Road Foreman and **Alba Higgins**, Shop Foreman met to present the weekly Road and Shop reports.

**Sage Trail**-The culverts for Sage Trail are ready to be installed;

**Choat Pit**-Will try to start on the reclamation;

**Senior Bus**-Sent the Senior Bus on for repairs;

**Packer**-Titan is hoping to have the packer finished soon; then they will send someone up to get the packer and the senior bus.

**Emission Seminar**-Greenhouse gas emission specs were discussed and compliance by 2015. Discussed purchasing trucks before 2015 and trading the old trucks.

**Cemetery water issues**-Commissioner Randash discussed building up the road. Commissioner Ranum would like to discuss the drainage with Jon Brosz, Brosz Engineering first.

**North Baker Water Sewer**-Shane Mintz, MT DOT stated they may send their own hydrologist down to view the area.

**Vacation**-Bobby asked if they could shut the Road Department down on Friday and have everyone take vacation as he only has about 3 people that will be back after the Holiday, the rest plan to take vacation. Permission granted.

**Fill from upper dam**-Commissioner Ranum asked if they had moved the fill from the bottom of the upper dam. Bobby stated it is too wet to get to. This will be used to build the road in the Meadows Subdivision; the road is not marked yet.

**CLOSED-PERSONNEL**

Commissioner Baldwin made the motion to pass Resolution 7-1-2013 calling for a Public Road Hearing. Commissioner Randash seconds the motion. 3 Ayes. 0 Nays. Motion carried unanimously. That Resolution is on file in the Clerk and Recorder's office.

Commissioner Randash made the motion to order the Lift Assembly Unit to be used for maintenance throughout the County. The Commission further authorizes a stabilization accessory be built by Baker Metal & Recycling for the unit. Commissioner Baldwin seconds the motion. 3 Ayes. 0 Nays. Motion carried unanimously. Commissioner Randash will contact the company to order the lift.

**11:00 AM-Todd Devlin**, Prairie County Commissioner stopped to pick up the protest letter written by Fallon County to the BLM regarding the Range Management Plan.

**11:25 AM-Carter Smith**-Reported back regarding lighting fireworks at the gazebo. It was explained to him by the Fire Chief that Montana Codes specifies you can only shoot off fireworks from June 25<sup>th</sup> – July 5<sup>th</sup> so they will not be able to do this anyway. The Commission thanked him for taking the time to check on this.

**PAYROLL & WITHHOLDINGS APPROVALS**

**11:45 AM**-The Commission reviewed and approved June timesheets and Payroll and Withholdings in the amount of \$409,660.57 and they are filed in the Clerk and Recorder's office.

**11:50 AM-Debbie Wyrick**, Deputy Clerk and Recorder asked if the Commission would like new “No Smoking” signs placed on the doors after they are painted or would we rather put them on the windows. Commission would like them placed on the windows rather than the doors.

Noon Recess

**1:00 PM-RECONVENE**

**PRESENT-Deb Ranum**, Chairperson; **William L. Randash** and **Steve Baldwin**, Members and **Brenda J. Wood**, Clerk and Recorder

**1:15 PM-Rich Batterman**, County Attorney met to report for legal discussion.

**Land Purchase**-The Commission discussed the proposal made by the Pinnow’s to the Commission for property the Landfill is located on.

**Judgment**-With the City of Baker has been dismissed.

**1:20 PM-Ferran, Territorial Land Works** and **Desiree’ Thielen**, Planner met to discuss contracted Planning Services. Ferran explained they have worked all over the region providing Land Use Planning and Municipal work. He lives in Townsend but they have offices in Billings and Fairview.

Commissioner Ranum asked if this would eliminate the need for an Examining Land Surveyor. Desiree’ stated yes.

Ferran explained they may open an office in Baker, Glendive or someplace near here. Commissioner Ranum asked if they would be accessible to Desiree’. Yes, they would.

Ferran stated an annual contract would make the most sense due to budgets.

**1:55PM Barb Lechler**, Fair Secretary was notified by **Mike Menger**, Plumber that **Griffith Excavating** could not dig the drain pipe at the Fairgrounds tomorrow as planned. Mike stated he would be around all weekend to help out if needed.

**2:00 PM Commissioners Ranum** and **Randash** left for the meeting with **Congressman Daines** in Miles City.

**2:05 PM Debbie Wyrick**, Deputy Clerk and Recorder met with Commissioner Baldwin to discuss possibly bidding property and casualty insurance. Health Insurance Reform and Self-Funded Insurance was also discussed. Information will first be passed on to Commissioner’s Ranum and Randash.

#### **CLAIMS APPROVALS**

The Commission finished June, 2013 claims approvals in the amount of \$1,873,854.73 and they are filed in the Clerk and Recorder’s office.

Recess

Tuesday, July 2, 2013

**RECONVENE-9:00 AM**

**PRESENT Deb Ranum**, Chairperson; **William L. Randash** and **Steve Baldwin**, Members and **Brenda J. Wood**, Clerk and Recorder

**10:00 AM-TILE BID OPENING FOR (1) FALLON COUNTY PARK, (2) CITY OF BAKER AND (1) TOWN OF PLEVNA:**

**PRESENT: Scott Rabbitt, Park Supervisor**

Only bid received-**SofSurfaces**-Bid was received 6/27/13 at 1:20 PM. Commissioner Ranum read the bid aloud. \$25,984.85 bid bond is in place. The bid for the placement of tile in 4 playgrounds (3 Baker and 1 Plevna) is \$249,848.46.

Commissioner Randash made the motion to accept the bid from SofSurfaces for placement of tile in 4 playgrounds (3 Baker & 1 Plevna) in the amount of \$249,848.46. Commissioner Baldwin seconds the motion. 3 Ayes. 0 Nays. Motion carried unanimously.

**Walk path lights**-Scott reported the walk path lights have been completed.

**11:00 AM-CEMENT BID OPEING FOR (1) FALLON COUNTY PARK, (2) CITY OF BAKER AND (1) TOWN OF PLEVNA:**

**PRESENT: Scott Rabbitt, Park Supervisor and Diamond J Representative**

Only bid received-**Diamond J**-bid was received July 2, 2013 at 10:36 AM. Commissioner Ranum read the bid aloud. \$27,500 bid bond is in place. The bid for the placement of cement in 4 playgrounds (3 Baker and 1 Plevna) is \$275,000.

**Time line**-60 non-business days-They would be complete by approximately September 6<sup>th</sup>.

Commissioner Baldwin made the motion to accept the bid from Diamond J for placement of cement in 4 playgrounds (3 Baker & 1 Plevna) in the amount of \$275,000. Commissioner Randash seconds the motion. 3 Ayes. 0 Nays. Motion carried unanimously.

**Questions posed to the Commission by the Fair Board.**

**Rain Out insurance**-The Fair Board would like to purchase Rain-Out Insurance for the Styx Concert. Don Buerkle, Fair Board member was phoned; Don stated the Fair Board made no motion for this yet.

**Refund the money for the tickets;** Don stated the Fair Board made no motion on this but felt that was what the Commission wanted them to do.

**Sound system and the bird netting;** discussed doing both of these projects at the same time.

**Barn Manager**-So far they have received no applications for the Barn Manager position.

**Grandstand seating**-Discussed possibly caulking the Grandstand seating. No decision at this time.

**12:10 PM-IT Person**-Discussed adding this position to the Salary Schedule. Commission granted permission to add this position to the Salary Schedule.

Noon Recess

**1:10 PM-RECONVENE**

**PRESENT-Deb Ranum, Chairperson; William L. Randash and Steve Baldwin, Members and Brenda J. Wood, Clerk and Recorder**

**Randy Hoenke, BRFD Fire Chief; Vern Stark and Tom Bruha, BRFD Members and Tom Muckle, County Rural Fire Chief** met to discuss their budget.

**Regular Fund-#7210**-Would like to purchase back packs, hand tools, PPE and Maintenance items

**1:15 PM-Richard Chester, BRFD Member** joined the discussion.

**Fund #7212**-\$25,000

**Fund #7213**-Would like to re-build ½ this year

**Fund #7211**-\$390,000 increase proposed for a cold storage building 80 x 100 (at least this size).

**Foam tank** – The building would be to house foam for fighting fires; would need to be in a heated building or at least a portion of the building would need to be heated. Discussed the shelf life and storage of foam.

**Site prep**-\$100,000-would like to complete this (High priority)

**Start a building fund**-\$50,000; they have 12 acres-part is in flood plain/flood way. 205 x 205 area to put the building on.

**1:25 PM-Bill Lane, Plevna Fire Member** joined the discussion.

**FEMA**-Commissioner Baldwin stated they should check on FEMA changes before they proceed; suggested checking with Desiree' Thielen, Planner for possible information.

**Stainless steel tank** upgrade was discussed.

**1:26 PM Bobby Wiedmer, Road Foreman** joined the discussion.

**Washer**-Would like to purchase a commercial style washer to wash turn-outs.

**Grass Rig**-phasing out the older grass rigs

**New pumper**-Due to the fact there are now some 3 story buildings, etc. this would be an elevated boom truck, high capacity rate. They received a quote of \$632,000. Dick stated this would get them up in the air to fight tank fires, etc. as well. Not sure what the price of the truck will be and do not know the county's position on their funding level. Discussed the cost of ladder trucks are \$1.2 million. Discussed the length of time it would take to build a new truck, approximately one year.

**Tank farms**-Randy discussed the tank farms and issues they face when trying to fight these types of fires

Bill L., representing the Plevna Fire Dept., stated Plevna is not equipped or trained for large fires. Feels a ladder truck would be money better spent.

Tom B discussed oil companies wanting to know response times to get to out of town tank farms.

**Baker Fire Hall**-Commissioner Ranum discussed the one year inspection of the new Fire Hall. Not all of the issues were completed but are working on them.

**Fire shelters**-Discussed types of fire shelters.

**Protocol Paper**-Turk handed out a protocol paper when calling out Road Equipment for fires for review and discussion:

**Mutual Aid**-Discussed mutual aid in detail.

**Water well**-Bill L stated Plevna is waiting on the drillers for their water well.

Bill L. stated the fastest way to his private property (even the property in Carter County) is through Fallon County.

**Road Equipment**-Discussed whether they should call Carter County for Road Equipment. Commissioner Ranum feels they need to call the County that is closest to the Landowner.

**Washer**-Permission granted to purchase this item now and to purchase PPE now as well.

### **2:00 PM-Park Ordinance Hearing-2<sup>nd</sup> reading**

No public participation.

Commissioner Randash made the motion to Adopt Resolution 7-2-2013-Setting Park Hours at the Fallon County Triangle and Iron Horse Parks. Commissioner Baldwin seconds the motion. 3 Ayes. 0 Nays. Motion Carried unanimously. Resolution 7-2-2013 is filed in the Clerk and Recorder's office.

### **3:00 PM-Hearing setting speed limits on various County Roads:**

**PRESENT: Vera Abrams, Jan Singer and Jim Neary**

Commissioner Ranum read the Resolution aloud.

Comments were made by those in attendance.

Signs will be posted by August 1<sup>st</sup> and will be effective in 30 days.

Commissioner Randash made the motion to **appoint Brian Hirst to the Planning Board** to represent Plevna. Commissioner Baldwin seconds the motion. 3 Ayes. 0 Nays. Motion carried unanimously.

**Debbie Wyrick**, Deputy Clerk and Recorder met to get a signature for FY2014 Direct Deposit renewal.

**Payroll Questions**-Ambulance Director and Assistant Airport Director positions were again discussed.

**Lance Wedemeyer**, Public Works Director and **Clayton Hornung**, Mayor-City of Baker met to update the Commission on various City of Baker projects.

**Fairgrounds**-Discussed the line break and the storm water drain issues at the Fairgrounds.

**New water tank**-Lance stated it would take 22 days to fill the new water tank; they will fill it slowly.

**Well #4**-This well was revamped.

**Upper lake**-Lance stated the gate to the Upper Lake has been closed since before the last rain.

**Weed Spray**-Will need to let the Weed Supervisor know when the water quits going over the spillway as the Commission would like to spray for weeds.

**New Gate**-Commissioner Randash feels we also need to coordinate the drainage with Fallon County to replace the gate on the upper dam.

**Lagoon**-(FEMA issue)-Jon Brosz was supposed to meet with Clayton to update him on the FEMA issues pertaining to the new cell at the Lagoon. So far he has not heard from Jon.

**Air Filtration system**-Lance does not feel an air filtration system would help the odor. Also discussed the cost to clean the sludge from 2 cells and bringing them up to compliance.

**Container Site**-The group discussed container site fees and other business pertaining to the container site.

**Sewer Project**-Discussed the process of slip lining; most of the project is complete with the exception of working on some of the streets.

**Declaratory Judgment**-The City dropped the Declaratory Judgment the City had pursued in District Court through Patrick Begley's tenure. The Judgment was to seek guidance on the City's ownership in the City/County Building.

**Planner**-The group discussed the City's costs for the Planner; Clayton feels the City Residents pay taxes into the General Fund and this would be similar to the City residents paying to dump their garbage at the Container Site and garbage rates; it would be double taxation.

**City Playground**-Discussed the constant flooding issues of the playground by the Hospital.

**Lance and Clayton** thanked the Commission for the help from the County.

Recess

Wednesday, July 03, 2013

### **RECONVENE-9:00 AM**

**PRESENT Deb Ranum**, Chairperson; **William L. Randash** and **Brenda J. Wood**, Clerk and Recorder. **Steve Baldwin**, Member excused for the morning.

## 10:00 AM ROAD SURFACING BID OPENING

**PRESENT-Bobby Wiedmer**, Road Foreman; **Jasen Wyrick and Gary Perry**

Commissioner Ranum read the bids aloud. Bid bonds were present.

Wyrick Construction \$379,998.54

Hufford Construction \$814,361.00.

Commissioner Randash made the motion to accept the bid from Wyrick Construction. Commissioner Ranum vacated the chair to second the motion. 2 ayes 1 absent. Motion carried.

Jasen was given permission to work on the road if it does not rain.

## PUBLIC COMMENT

**10:25 AM-Chuck Lee**, DES/911 Coordinator

**Firefighter (Dustin DeFord)** that lost his life in the Arizona fire.

It is felt there would be approximately 2,000 people in attendance at the funeral in Ekalaka. This being a remote area Chuck felt Carter County may need some help with food, water, etc. to accommodate all of the influx. The Commission is willing to help; Chuck will get some more information.

**Central Grant Center**-Chuck also presented a letter to the Commission explaining the Central Grant Center in opposition of what was stated in the Commissioner Proceedings listed in the June 28, 2013 Fallon County Times. It stated Vera Abrams had explained Chuck had told her he did not have time to attend the trainings, etc therefore the Grant Center is no longer available to the County. Chuck stated that statement was wrong; the Foundation (Central Grant Center) was established many years ago when Sam Thielen was the DES Coordinator and was working with the SMART leader at that time, Mark Campbell. Sam and Mark worked with Vera to have the Foundation installed at the Fallon County Library.

The Foundation provided airfare and training for Sam and Vera to travel to New York, New York. Chuck explains in his letter this had NOTHING to do with him as he was working in the Planner's Office at the time. Chuck feels that it appears that just because he is now the DES Coordinator and does NOT support the Foundation, he is the reason Vera no longer has the Foundation. Vera took the training in New York, the Foundation materials were located in the Fallon County Library and somehow now it appears Chuck is blamed for the NON-existence of the Foundation Program. Chuck just wants it clear that he never had ANYTHING to do with the FOUNDATION or its existence.

**11:00 AM-Barbara Ketterling**, Treasurer/Assessor met to update the Commission on tax dollars collected from Jo-Max, by Fallon County. Wibaux County would like some of the tax money Fallon County collected from JoMax. Barb explained our County Officials did all the footwork when Jo-Max made their way to Fallon County. Barb further feels Wibaux County had the same opportunity when they were in their County. The Commission stated they agree with Barb, the decision is not to share the tax dollars, collected by Fallon County, with Wibaux County.

**11:35 AM Chuck Lee**, DES/911 Coordinator reported back. Chuck asked if he could purchase \$750.00 beverages/food for the Ekalaka funeral. The Commission granted permission to purchase.

Noon recess

## 1:10 PM-RECONVENE

**PRESENT-Deb Ranum**, Chairperson; **William L. Randash** and **Steve Baldwin**, Members and **Brenda J. Wood**, Clerk and Recorder

**Fairgrounds Supplies**-Permission granted to order 7 benches for the Fairgrounds.

**2:10 PM-4:00 PM-Debbie Wyrick**, Deputy Clerk and Recorder met to review the updated Salary Schedule, discuss various job description and discuss possible additional job positions.

**Exempt/Non-Exempt**-Discussed decisions for exempt/non-exempt statuses. Exempt status must be Salaried.

**Airport Manager** will be paid at hourly rather than salaried

**Ambulance**-Need to visit more about the Ambulance on-call pay.

**Barn Manager and Adult Maintenance Supervisor**-Need to wait to see if the County Attorney feels they are exempt or non-exempt positions.

**Health Nurse**-Debbie feels this position needs to be Salaried but need to wait to see if County Attorney determines if this position is exempt.

**Library**-We are not in charge of the wages but discussed the fact their wages do include longevity from previous County Salary COLA's.

**Council on Aging Coordinator**-Determined is an exempt supervisor so will need to change to salaried.  
**Health Insurance**-Debbie stated Pay and Play has been postponed for 1 year.

#### **4:00 PM COMMISSIONER'S BUSINESS**

**Family Services office space**-Do some further checking but do not sign the lease agreement.

**Valve Replacements**-The quotes for the valve replacement project have not been received by Lynda as they are still working on them.

**School house roof**-Contact Daryl Abby for recommendations.

**Vault shelving**-Discussed adding a laborer to the salary schedule for Maintenance.

**Senior Citizens maintenance**-Add additional funds to their budget to cover maintenance costs over and above the fund raisers.

**Veterans Memorial**-Discussed placing funding in the budget to maintain the Veteran's Memorial.

**Recreation Director budget**-Discussed placing extra funds in the Recreation budget to cover items for the 4<sup>th</sup> of July.

**Planning Contractor**-Desiree' Thielen, Planner plans to interview more contractors for assistance in the Planning Dept.

**North Baker Water Sewer**-Discussed placing extra money in the budget to cover drainage project costs as well as other maintenance.

**Sanitarian**-Need to complete the contract for the Sanitarian.

**Baker Lake**-Commissioner Ranum asked what the Commission would like to do about issues with the Baker Lake. Commissioner Baldwin feels we should continue to do the work in stages as they had earlier decided. Commissioner Randash agreed.

**Bird netting**-Decide what to do with the bird netting in the Grandstands after the lift gets here.

#### **REVENUES**

**Continental Resources**-Oil & Gas Royalties-\$9,371.37

**Baker Air Service**-County Share June Aviation fuel sales-\$500.17

**July, 2013- Century**-Monthly Lease Payment-\$400.00

**June, 2013-Baker Air Service**-Quarterly Hangar Lease-\$1135.25

**June, 2013-Denbury-O/Gas Royalties**-\$10,735.31

#### **MINUTES/FLYERS/REPORTS**

**The Commission reviewed the following:**

**July, 2013-Seniors In Action Flyer**

**July 2, 2013-Ambulance Minutes (unapproved)**

**FY2014-FMC Budget Report**

**June, 2013-Detention Center Report**-7 prisoners held for 160 days; 3 Fallon County; 97 City of Baker; 30 Carter County and 30 Department of Corrections-Total Revenue of \$4500.00 from Carter County and Dept. of Corrections.

**FY2013-Detention Center Report**-average of 2.842 inmates per day; 47 Fallon County Days; 854.5 City of Baker days; 52 Carter County Days-\$3900.00 collected; 84 DOC days-\$6300.00 collected.

#### **JOURNALS**

Journal #572-Correct account the claim was coded to previously.

#### **ENCROACHMENT PERMIT**

The Commission reviewed and signed Encroachment Permit #571 for Mid Rivers to cross Airport Road with communication line in Section 6,7,18 & 19-6-60.

#### **MISCELLANEOUS**

Commissioner Ranum signed as Chairperson the **MT Older Americans Act Program Contract** for FY2014. The purpose of the contract is to provide development and maintenance of comprehensive and coordinated service delivery system for the provision of supportive and nutritional services to Senior Citizens. Provide maximum dignity and independence for older Montanans, especially those with the greatest social and economic needs.

Commissioner Ranum signed as Chairperson the **Congregate and Home Delivered Meals Agreement** for FY2014.

Commissioner Ranum signed as Chairperson the **contract between DEQ and Fallon County**. The contract purpose delegating Fallon County the authority, per MCA, to review certain water supply, wastewater, solid waste and storm water systems in subdivisions. The County will review subdivision applications for completeness and to determine whether certain systems comply with the Sanitation and Subdivision Act, the Montana Water Quality Act and applicable administrative rules and circulars. The purpose of this Agreement is also to provide reimbursement to the County for performing site evaluations and related services for subdivisions. Contract will terminate June 30, 2015.

Commissioner Ranum signed as Chairperson the **standard letter of agreement between Fallon County and Stevenson Design, Inc.** for services on an hourly plus expenses basis for standard architectural services on a re-roof project know as Parkview 1 Re-roof. Other services to be provided under this agreement are assistance with interior repairs of storm damage, and site work design to address storm water control in the Courtyard.

Commissioner Ranum signed as Presiding Officer a **letter requesting approval of the FAA to allow additional reimbursement of eligible project expenses up to 97.5%** of the approved grant amount for the 2 completed **Airport projects**.

Commission signed a **letter of protest of BLM Range Management Plan Drafts and EIS Drafts** based upon Governing Rules, Policies and Process Issues. Letter was addressed to the Acting State Director; Miles City Field Office-RMP Comments; Havre Field Office-RMP Comments; Billings Field Office and Brenda Williams-BLM in Washington, DC. Letter was given to Todd Devlin, Prairie County Commission to be sent with all other Counties protesting.

#### **ADJOURNED**

5:35 PM-Commissioner Baldwin made the motion to adjourn for the week. Commissioner Randash seconded the motion. 3 Ayes. 0 Nays. Motion carried unanimously.

s/Deb Ranum, Chairperson

ATTEST:

s/Brenda J. Wood, Clerk and Recorder