

Monday, July 8, 2013

CONVENED 9:00 AM

PRESENT Deb Ranum, Chairperson; **William L. Randash** and **Steve Baldwin**, Members

Brenda Wood, Clerk & Recorder excused for the day; **Debbie Wyrick**, Deputy Clerk & Recorder took minutes in her absence.

Bobby Wiedmer, Road Foreman met to present the weekly report on roads. **Jon Brosz**, Brosz Engineering joined the meeting. Jon has not heard from FEMA yet, he will call this afternoon. Commissioner Ranum signed another DNRC application for Jon. Jon updated on various projects.

Commissioner Ranum signed the Statement of Values for EMC Insurance Companies (2013 2014 policy year).

PUBLIC COMMENT

No one appeared for Public Comment.

WIC PUBLIC HEARING TO AMEND BUDGET –Budget Authority Resolution read by Commissioner Ranum, signed by all Commissioners, Passed. No one present for Public Comment. That Resolution is filed in the Clerk and Recorder’s office.

RECESS

Commissioner Randash made the motion to recess for lunch. Commissioner Baldwin seconds the motion. Motion carried unanimously.

Noon Recess

RECONVENE 1:00 PM

PRESENT Deb Ranum, Chairperson; William L. Randash and Steve Baldwin, Members and Debbie Wyrick, Deputy Clerk and Recorder

Belle Fourche Pipeline Updates: **Debra Bell** and **Ken Dockweiler** with Belle Fourche Pipeline. The concerned landowners have problems or concerns with their liability, as that is their major hold up. This pipeline is permitted for crude oil. Debra provided a copy of a contract to the Commission to read in regard to the liability portion. Commissioner Baldwin what are your options? Debra; lay a line under the Butte Pipeline right of way. This would be the next best possibility. Commissioner Randash; I don’t know what we can do to help you to change the concerned landowners minds. Gentleman; First and foremost we would like to get Right of Way from Fallon County, then maybe we can move forward with the other landowners. Meeting set up for July 22.

Lance Wedemeyer, City of Baker – Public Works Director, stopped to talk to Commission.

Department heads as needed:

Bobby Wiedmer and **Alba Higgins**, Wyrick (John Beach) Gravel Pit, discussion. Bobby said we can use some from this pit, up to 12,000 yards.

Alba – stacking conveyor is so bent, we need to purchase a newer conveyor. Alba did a little checking around to see if we could rent one, nothing available; approval given to look for a conveyor, and a generator to run it.

Landfill – Tub Grinder needs to be pulled to town and worked on, not sure what happened.

Auction items – 91 Mack Truck and D6 Dozer from the Landfill.

Road Yard-SE of the new road building, they would like to level it, haul some scoria so they could use this area for storing culverts etc.

Golf Course Irrigation Agreement – The agreement was signed, Commissioner Baldwin delivered to City of Baker. That agreement on file in the Clerk and Recorder’s office.

Desiree’ Thielen –Planner/Floodplain Coordinator – Planning Fees discussion.

PERMIT-Commissioner Ranum signed as Chairperson the Application for Construction Permit for the repairs to the Upper Baker Lake.

Commissioner Baldwin made the motion to recess for the day. Commissioner Randash seconds the motion. Motion carried unanimously.

Recess

Tuesday, July 9, 2013

RECONVENED 9:00 AM

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

10:00 AM-Vera Abrams, Safety Coordinator and **Joe Janz**, Safety Inspector met to present the quarterly safety report. Safety Team discussed having mandatory training quarterly and giving more scheduling flexibility. Still missing Inspection sheets from four Departments-They were Due March 31, 2013. Monthly Employee Safety Meeting Attendance-57%; Monthly Safety Meeting Attendance-Ambulance-Data Unavailable; Safety Team Meeting Attendance-44%. Discussed Vehicle/Property Damage incidents and upcoming trainings.

Mandatory Training-Could have one in May for seasonal employees and their supervisors. Discussed holding the meeting only in the morning four times per year. They will decide this for sure at the December Safety Team Meeting.

Tree Issue-Joe stated the tree by the Lambert Building is about ready to topple over onto the building. Decision is to remove the tree.

PUBLIC COMMENT

No one appeared for Public Comment.

11:00 AM-Desiree' Thielen, Planner; **Alvin Croy**, Public Member; **Julie Post**, Developer met for the review of the Latigo Trail and Verke RV Park Subdivisions.

Desiree' presented staff reports with recommended conditions.

Latigo Trail Subdivision

Julie stated they have someone that would like to purchase 10 acres and split it in half for family members. The Post's do not want to restrict the use of the land. Commissioner Baldwin stated you do not want any restrictions? Discussed placing restrictions via zoning to assist Developers and those who purchase the land. Also discussed various covenants and the effects.

11:03 AM-Cindy Irgens, Public Member joined.

Julie continued by saying they did not want a Subdivision, they just wanted to sell some land.

Water Well-Alvin expressed his concern regarding his shallow well and the fact he is just down the hill from all the development. The Commission will make their Preliminary Decision today.

Roads-Commissioner Ranum wants to make sure the County builds no roads into the Subdivision and to make sure they are not responsible for installing any cul-de-sacs. Julie stated they just need two approaches and the Highway will have to build the one off the highway. Road specifications and possible indemnity clause for the roads was discussed.

Noxious Weed Plan-The Noxious Weed Plan was discussed.

Question-Alvin asked, so is it pretty much up to Doug and Julie to do what they want? Commissioner Baldwin explained Fallon County has no zoning and other items are covered through Subdivision Laws. Alvin again stated his major concern is water issues with his shallow well.

Decision-will be made later.

Verke RV Park Subdivision

Road-The road to this subdivision was an engineered road and it is surfaced.

Desiree' explained – Again, no County zoning; will need to further visit about the roads.

Burning barrels-Commissioner Ranum stated she feels burning barrels need to be eliminated.

Fire plan submitted-The fire plan was approved by the Fire Chief.

Public Comment-Cindy stated she is against it as the Irgens' bought land in the country for the purpose of remaining in the Country. Verke's plan discusses doing background checks on the individuals that stay there, but will he do it? Cindy is also concerned about the animals and the number of animals that will accompany the individuals staying at the RV Park as she has livestock right across the Highway.

Shelterbelt-Desiree' stated the Verke plan discusses placement of a shelter belt to hide his Commercial property. Desiree' stated this Subdivision is handled differently because it is Subdivision by rent or lease and the Commission can recommend items for the rules. Cindy stated she understands the Commission's position.

Decision to be made later.

RECESS

Commissioner Randash made the motion to recess for lunch. Commissioner Baldwin seconds. 3 Ayes. 0 Nays. Motion carried unanimously.

Noon Recess

RECONVENE 1:00 PM

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

1:30 PM-Desiree' Thielen, Planner returned to further discuss the Subdivision's discussed before lunch and possible conditions that could be placed on the Preliminary Approvals.

No burning barrels or containers

Water must be supplied from a DEQ approved water well

Septic system must be DEQ approved.

1:55 PM-Bobby Wiedmer, Road Foreman stated he will be on vacation the last week in July and 1st week in August.

2:00 PM Julie Post returned to ask if the Post's made the decision NOT to place Covenants in the Subdivision, would the Commission approve their Subdivision. The Commission discussed their probable decision to approve with conditions, listed above.

Back to stipulations with Desiree'

Indemnity clause-The County Attorney feels that an Indemnity Clause would work for the roads in the Subdivisions.

Preliminary Approval-The Commission will approve the Latigo Trail Subdivision and the Verke RV Park Subdivision, with the Planner recommendations and Attorney input. Preliminary Approval letters will be sent to each Developer by the Planner.

Covenants-It is believed the County cannot require covenants be placed in a Subdivision.

2:50 PM-Rich Batterman, County Attorney and **Debbie Wyrick**, Deputy Clerk and Recorder met to discuss the Fair Labor Standards Act.

Rich discussed the letter he wrote regarding Exempt/Non-Exempt Employees and how to qualify them.

Commissioner Baldwin made the motion to go into Executive Session; Commissioner Randash seconds the motion. 3 Ayes. 0 Nays. Motion carried unanimously.

CLOSED-PERSONNEL

4:30 PM-Mike Kirschten, Gun Range Board Member met to discuss the Gun Range budget. Mike was present at 4:00 PM for his scheduled appointment.

Building-Mike asked if the Commission wanted to move forward with the new building or wait for grants.

Further questions-Commissioner Randash asked if they had searched any further for grants. Mike stated he had earlier explained no one has had time to do further research for grants.

Budget-Mike explained they left this budget request the same as it has been.

Roads-The road going to the main range targets is washed; they would like to have another pipe placed, they may have enough surfacing at the Gun Range.

Mowing bill-Mike asked if there were any questions on the mowing bill for the Gun Range. Commissioner Randash stated he noticed the billing had extra amounts on it. Mike stated some is completed at the contract rate and other mowing is over and above the contract rate.

Landfill Wages-Mike stated he sent a letter in February regarding the wages at the Landfill but never received a response. Mike would like an explanation as to why the Landfill employees are penalized in comparison to other County employees that operate equipment at approximately \$2.00 more per hour.

Explanation-Clerk and Recorder explained the reason being the Road Department employees are required to have a CDL (Commercial Driver License). Mike stated he does not feel that justifies the difference.

Chipper-Use of the chipper was discussed.

CLOSED-PERSONNEL

4:55 PM-Debbie Wyrick, Deputy Clerk and Recorder stated the letters to the Supervisor's regarding their Exempt/Non-Exempt status need to be sent as soon as possible. Decisions need to be made now. The Commission agreed to meet Monday and Tuesday of next week to address this.

COMMISSIONER DISCUSSION

Fairgrounds benches-Commissioner Ranum stated she found a place where she could get benches for the Fairgrounds with the Government discount. The Commission approved purchase of benches. Commissioner Ranum phoned Barb Lechler, Fair Secretary about purchasing benches. Decision was to order 10 benches.

Populous Report-The Commission will need to discuss this with the Fair Board first. The Commission stated they were not impressed with the report or the cost of the report. The Commission received notification from Populous asking if they wanted to finalize. The Commission did not know what else was to be completed. Barb will call them tomorrow to find out what "finalize the project" means and what the cost to finalize would be.

Wash Rack-Barb stated the wash rack project is under way.

Pipe break-Griffith Excavating is not sure when they will be able to come dig up the broken line.

Cement project-Mark Wright is coming to do the cement work in between the two food booths soon.

Gutters-Melby needs to complete work on the gutters but Barb is not sure when he will be back.

The Commission, in conjunction with Sheriff Barkley and Mayor Hornung, signed and sent a letter to Shane Mintz, MT Dept. of Transportation asking for a speed zone study on the Highway 7's South Entrance to the City of Baker. The letter informs the MT DOT Hwy 7 South passes three entrances to our Fairgrounds, several City streets and a Grade School.

The Commission, in conjunction with Sheriff Barkley and Mayor Hornung, signed and sent a letter to Shane Mintz, MT Dept of Transportation asking for installation of a sign (on the east side of Hwy 7, one mile south of the Baker City Limits) for jake-brake muffler application.

EASEMENT

The Commission signed a Temporary Easement for Allerdings Ranch, Inc. for Section 4-6-58 for bridge installation on the South Fork of the Sandstone Creek on Sunny Bank Road.

Commissioner Baldwin made the motion to recess for the day. Commissioner Randash seconds the motion. 3 Ayes. 0 Nays. Motion carried unanimously.

Recess

Wednesday, July 10, 2013

RECONVENE 3:30 PM

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

Commissioner Work Day:

Bobby Wiedmer, Road Foreman met to update on questions/projects from Monday. The new Landfill Dozer should be here the end of this week or next week.

Conveyor-A new Conveyor will cost approximately \$62,000 (has its own hydraulic motor; 80' long and 30" wide belt). Commissioner Baldwin made the motion to give Bobby permission to look at a new conveyor. If it meets our standards, permission granted to purchase it. Commissioner Randash seconds the motion. 3 Ayes. 0 Nays. Motion carried unanimously.

Debbie Wyrick, Deputy Clerk and Recorder met to further review Exempt/Non-Exempt employee statuses. Debbie stated she felt it would be best if the Commission were to bring each of the Supervisor's in individually to discuss their status.

5:15 PM-Desiree' Thielen, Planner met to discuss Preliminary approval of Subdivisions previously discussed.

Burning Bans-Desiree' explained the burning bans would be something that would be placed in the Covenants not something the Commission could stipulate; also was not sure if the Commission could require Covenants. Need to find out if there can be a Fire Protection Plan put in place. The County

Attorney will need to be contacted regarding this. Rich did notify Desiree' he could draw up a contract with an indemnity clause pertaining to the roads in Subdivisions.

Special Election-Desiree' discussed possibly holding a special election for County-Wide zoning. There is a possibility they could Zone a 1 mile radius outside the City limits by way of an Interlocal Agreement with the City of Baker.

JOURNALS

Journal #581 Correct a few posting errors and complete year end cash transfers to other funds.

Journal #582-Correct Feb-May, 2013 posting for new employee Road Work Comp-\$288.26

MISCELLANEOUS REVENUES

State of Montana-DEQ-Septic Pumper fee to County in which licensee resides.-\$100.00

Denbury-\$300.00-Encroachment permit fees for Permit #569 and 570

Mid Rivers-\$150.00-Encroachment permit fee for Permit #571

MINUTES

June 17, 2013-Fair Board Minutes were reviewed.

ADJOURN

Commissioner Randash made the motion to adjourn for the week. Commissioner Baldwin seconds the motion. 3 Ayes. 0 Nays. Motion carried unanimously.

s/Deb Ranum, Chairperson

ATTEST:

s/Debbie Wyrick, Deputy Clerk and Recorder

July 8, 2013

s/Brenda J. Wood, Clerk and Recorder

July 9 – 10, 2013