

Monday, June 24, 2013

**PRESENT-8:10 AM-Deb Ranum**, Chairperson, **Steve Baldwin**, Member and **Brenda J. Wood**, Clerk and Recorder.

**8:55 AM-Bobby Wiedmer**, Road Foreman met to present the weekly Road Report.

**Road Work**-Most of the crew is working on the Sandstone Road after all the rain.

**9:05 AM**-Commission received a phone call from Todd Devlin, Prairie County Commissioner. Todd spoke of the BLM-RMP (Range Management Plan); Todd feels they need to sit down with all Counties to make sure all plans are addressed. The BLM stated they had never reviewed the RMP from Miles City. Todd stated they need to protest and appeal this and feels it would cost no more than \$15,000. They need to do something before July 5<sup>th</sup>; the Commission is on board to join with the Counties in protesting for a 90- day extension by the end of the week.

**9:15 AM-William L. Randash**, Member joined.

Commissioner Randash was brought up to date on the conversation with Todd. The Commission agreed to join on with Prairie County. Todd feels the BLM will extend this for at least 60 days and sit down with all the Counties involved. Discussed the issue due to Open Meeting Laws, Elected Officials should not be a cooperative agency representative. The Commission wrote a letter to Mary Bloom, BLM-RMP Project manager. Letter is filed in the Clerk and Recorder's office.

**10:00 AM-Bobby Wiedmer**, Road Foreman and **Alba Higgins**, Shop Foreman met to present the Road/Shop Report.

**Senior Bus**-The bus is going to be taken to Billings, MT to have lift issues looked at.

**BoMag Packer**-No word on this yet.

**Radios**-Installing radios in trucks

**Crusher**-Ordering parts to repair the crusher

**Telehandler**-Discussed purchasing a telehandler to assist with work on the Grandstands roof area.

Commissioner Baldwin made the motion to close for Executive Session. Commissioner Randash seconds the motion. 3 Ayes. 0 Nays. Motion Carried.

#### **CLOSED SESSION-PERSONNEL**

**10:30 AM-David Espeland**, CEO and **Selena Nelson**, CFO- Fallon Medical Complex met to present the monthly report.

**Parkview's**-Discussed water issues at Retirement Complexes.

**Roof – PVC1**-Stevenson Design is working on the roof plan. Decision was to put this out to bid as it is suspected it will be well over \$80,000. Discussed making sure to upsize the gutters and work on the manhole. Discussed the roofing type to use; David recommends shingles and get larger rain gutters. Thiel Roofing recommends a membrane; David is not sold on that due to the way water sheds so quickly from this type roof. The roof has spongy areas that will need deck replacements and fascia replacement, Stevenson feels the soffit is okay now. The Custodial Supervisors stated the downstairs area is dry as of this AM.

**PVC2**-The roof from PVC2 drains into the same system; need to further discuss this with the Architect. All the water runs toward PVC1 and PVC2; a decision needs to be made to carefully place a catch basin to drain both buildings.

**Hospital Laundry**-The Hospital laundry had water run into it as well.

**Diesel Tank**-David will check to see if there is water in the diesel tank. David felt the previous repairs sealed it.

**Clinic**-David will check under the clinic for water as well.

**Issue**-The City and others found a rubber seal was not positioned correctly on a pipe under the parking lot. The issue has to be repaired before further issues arise.

**Physical Therapy Department**-The PT Department was completed and everyone is quite happy with it.

**NH Air Conditioner** –This project is not quite finished.

**Radiology**-Hired a new employee for Radiology as one employee retired and one resigned. They still need to find a Manager and someone that can do Mammography.

**Surgery**-No more surgeries at FMC; this decision was made between Dr. Matheson and Baker Doctors.

**Contracts**-All contracts have been signed as of this year.

**Budget**-The Hospital Board approved the budget which included a 7% overall price increase. FMC is still under the states average as far as room rates. They gave \$1.00 per hour increase to the employees, which included some adjustments.

**Software and Hardware**-They will be upgrading the Software and Hardware for the Financial System at FMC.

**EMR**-They will be upgrading Electronic Medical Records; they could finance EMR if they have to.

**Long term debt**-This is the lowest it has been since Selena has been here.

**11:45 AM-PUBLIC COMMENT**-No one appeared.

**11:55 AM-Barbara Ketterling, Treasurer/Assessor** met to present the Delinquent Tax report to the Commission

**Letter**-Barb received a letter from Richard Heineman, Attorney representing Clint Bondell in the Randash Motors tax issue. The County Attorney will respond to the letter on behalf of Fallon County.

**Reminders**-Barb stated her office may try to do more to remind people of their delinquent taxes.

**RECESS-12:05 PM**-Commissioner Baldwin made the motion to recess for lunch. Commissioner Randash seconds the motion. 3 Ayes. 0 Nays. Motion carried unanimously.

Noon Recess

**1:00 PM-Reconvened** with Deb Ranum, Chairperson; William L. Randash and Steve Baldwin, Members and Brenda J. Wood, Clerk and Recorder present.

**1:05 PM-Roy Ishikan, Debra Bell, Mark Siedschlag, Ken Dockweiler, Belle Fourche Pipeline Representatives** met to update the Commission on the status of the Pipeline Project.

Debra discussed the ROW Agreement, Road Use and Repair Agreement and Encroachment Permits between Fallon County and Belle Fourche Pipeline.

Commissioner Ranum asked how many Landowners had signed off. Debra stated all but three from Fallon County and a few from other areas. Debra explained the Landowners have formed a coalition and it is hard to get the Landowners to discuss their concerns with them.

**Right of Ways**-The group discussed permanent and construction right of ways. Belle Fourche is required to fulfill OSHA regulations, just like everyone, and they cannot safely do the work if the ROW's are not adequate.

**Discussed options**-Belle Fourche wants to pay the Landowners Fair Market Value for a new right of way but they could instead follow the old right of way. Roy stated Belle Fourche does not want to go through the condemnation process. Mark stated Belle Fourche wants to be good neighbors.

**Assistance**-Commissioner Baldwin stated he felt the Commission would try to see what they could do to assist with communications.

**Rail turn-around**-Commissioner Randash asked about the rail turn-around. Debra stated the rail turn-around is not a definite.

**1:58 PM-Jon Brosz**-Brosz Engineering –Updated the Commission on the 2<sup>nd</sup> phase of upper lake. Will soon go to bid.

**Bonnevale Cemetery**-The Cemetery is being flooded; culvert will be replaced by State of Montana-DOT-Jon felt they could add this to the North Baker Water Drainage project.

**2:00 PM Desiree' Thielen, Planner**-Updated the Commission on various Public Hearings being held by the Planning Board. Some of the neighbors called in to voice opinions about some of the upcoming Subdivisions being reviewed.

**Dispatch/Sheriff remodel**-Fallon County is applying for a variance for a portion that does not meet the current set back regulations.

**2:05 PM-Park Ordinance Hearing**-1<sup>st</sup> Reading-Commissioner Ranum read Resolution 6-3-2013 aloud. No one appeared for public comment. This hearing was not taped. The final Park Ordinance Hearing will be held July 2, 2013 at 2:00 PM, at which time the determination will be made whether to maintain park hours as stated or not.

**2:10 PM**-Commissioner Ranum closed the hearing.

**Budget questions**-Container Site-discussed purchasing a walk behind weed eater; this could be used at the Landfill as well. Senior Citizen's budget-Discussed putting extra money in the Senior Citizen budget to assist with maintenance of the Senior Citizen buildings. The decision was to add \$25,000 to the Senior Citizen budget for this and to notify Carla Brown, Senior Citizen Coordinator. Carla stated it was very nice of the Commission to be so generous.

**3:00 PM-Road Ordinance Hearing**-1<sup>st</sup> Reading

**PRESENT: Vera Abrams and Jan Singer**

Commissioner Ranum read Resolution 6-3-2013(1) aloud.

Reporting and enforcement issues of the roads were discussed. Jan and Vera are in favor of a speed limit on Sunset Trail.

The final Road Ordinance Hearing will be held July 2, 2013 at 3:00 PM, at which time the determination will be made whether to place speed limits on the County Roads listed, as stated, or not.

**3:13 PM**-Commissioner Ranum brought the Hearing to a close.

**3:30 PM-Scott Rabbitt**, Park Supervisor brought draft cement specs for the Park playground bid openings to be reviewed and finalized for bid process.

**3:45 PM-Insurance**-Commissioner Ranum contacted Barb Lechler, Fair Secretary. The Fair Board wants to purchase "rain-out" insurance for the Saturday night Fair concert. The Fair Board will not be relocating the concert. Barb suggested the Commission attend the July 1<sup>st</sup> Fair Board meeting to discuss this further.

**4:00 PM-BUDGET RESOLUTION**-The Commission passed the year end Budget Resolution unanimously. Budget Resolution #6-24-2013 is filed in the Clerk and Recorder's office.

**4:15 PM-Kevin Dukart**, City Clerk met to discuss the old City/County mosquito fogger. The City would like to put it out to bid and apply the proceeds from the bids back toward a new machine. Permission to use the county's ½ interest toward the purchase of a new machine.

**Houses flooding**-Clayton is working with the Insurance Company.

**4:30 PM-Tim Barkley**, Sheriff met to discuss updating vehicles; he would like to purchase the vehicle (in his new budget) from the same Company the City Police purchased their vehicle. The cost averages \$10,000 less than other dealers Tim has checked on. Permission granted to start looking at purchasing another vehicle.

**Upper Lake**-Complaints have been called in regarding individuals going off-road by the upper lake; does the County want to have the Sheriff restrict allowing this activity. The Commission stated they could leave enforcement for now unless it seems life threatening.

**Addition**-Tim will also need furniture for the new lobby area, desks, chairs and etc. for the offices from the Sheriff budget; dishwasher, freezer, washer/dryer, refrigerator from the jail budget. Permission granted to budget for this as well.

## **MISCELLANEOUS**

Permission granted to have Mid-Rivers make a premise visit to the Library to figure out which line needs to be disconnected for the old postage meter.

The Commission received a letter from the Army Corps of Engineers regarding their receipt of Applications for culvert replacements across County Roads for South Fork of Sandstone Creek, unnamed

tributary of Little Beaver Creek, Little Pine Creek and Pine Creek. The Corp is requesting further information before the application will be approved. What is the bankfull width of each waterway at each crossing location? Will the culvert(s) effectively span the bankfull width of the creek?

Letter was written to Matthew Waite, PE for Montana DEQ, asking for assistance from Matthew to seek irrigation water solutions for the Golf Course.

Commissioner Ranum signed as Chairperson, the Performance Agreement for Inflatables to be present for the 4<sup>th</sup> of July in the amount of \$2,740.00.

Commissioner Ranum approved as Chairperson, the purchase of stainless steel gates for repair work to the upper Baker Lake at a cost of \$31,000.00.

Commission accepted a quote received from Mark Wright to pour concrete at the Fairgrounds (between the Lutheran Stand and the Junso Memorial) in the amount of \$4,455.00.

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

**The Commission reviewed and/or approved the following Minutes.**

June 3, 2013 Fair Board Minutes

May 20, 2013 and June 18, 2013 Planning Board Minutes

June 4, 2013-Plat Status Report-12 (COS)/Plats in various stages of completion.

#### **REVENUES**

Keli Bertsch-Sewer Permit-\$350.00

Badlands Electric-Sewer Permit-\$50.00

PILT payment-\$38,461.00

**5:15 PM-RECESS**-Commissioner Baldwin made the motion to recess until Wednesday, June 26, 2013. Commissioner Randash seconds the motion. 3 Ayes. 0 Nays. Motion carried unanimously.

Recess

Wednesday, June 26, 2013

**9:00 AM - PRESENT: Deb Ranum**, Chairperson and **William L. Randash**, Member.

**9:00 AM-Met in the Library Basement for the Dispatch/Sheriff Remodel/Construction Meeting.**

**The Commission then met at the Fairgrounds**

**10:00 AM-Fairgrounds-Water Issue**-The Commission met at the Fairgrounds with Terry Sukut, JGA Architect, Jim Leischner, County Insurance Agent, Mayor Hornung, Lance Wedemeyer, Public Works Director, Fair Board and Barb Lechler, Fair Secretary to review and discuss water issues in the Grandstands.

Noon Recess

**1:00 PM - RECONVENED** with Commissioner's Ranum and Randash and Brenda J. Wood, Clerk and Recorder present.

**1:15 PM-Elin Westover**, Extension Agent and Larry Brence, MSU Extension Eastern Region Dept. Head  
The group discussed **compensation** for Extension Agents. The Agents are an employee of the State of Montana and it has come to the attention of the Commission Elin is paid less than her employees, whom are County employees.

**State Employee**-Larry stated the State of Montana cannot do anything but possibly the County could explore other avenues. Latitude changes were discussed and the fact no County has ever given an Agent funding over and above their normal wage. Larry stated he would have to have a conversation with Carter County first and could get back to the Commission after that.

**Agreement**-Possibly a Memorandum of Understanding would be the way to proceed with this option.

## **PUBLIC COMMENT**

Roy and Sharon Ferrel met to discuss the possible replacement of a bridge on Bonnevale Road. The Commission explained TransCanada is planning to replace culverts on various roads. Roy feels this has to be a large enough culvert or he will balk at this.

The Ferrel's wondered if this would be a truck route. The Commission is not 100% sure.

The Commission assumed the box culvert planned for this road will be the same size as the one that is down the creek, which is a double 14' x 9'. Commissioner Ranum phoned Road Foreman, Bobby Wiedmer to ask and Bobby stated that was correct.

**3:00 PM Penny Zimmerman**, Liaison for Jon Tester met to gather updates.

**County bridges**-Discussed bridges that will be replaced if TransCanada pipeline is a go. They have already run sewer and water to the man camp. TransCanada has already put \$500,000 into the lagoon system and paid for a new water tank for the City of Baker.

**Randy Vogel**, Liaison for Steve Daines joined the Commission as well.

**3:25 PM-Kevin Dukart**, Clerk-City of Baker joined the discussion to confirm what TransCanada has assisted the City with in the process of setting up TransCanada's Man Camp.

**BLM-RMP** was discussed; the affects to Fallon County are not as severe as Prairie and Carter County. Fallon County did not address the economics as Todd Devlin, Prairie County Commissioner had for his County. Randy feels the small animal predators kill more Sage Grouse than humans and pipelines; they take them out of the US and transplant them in other Countries; they still have a hunting season and they still say they are an endangered species. Randy stated four (4) leks will hold up an entire project.

**Bison issues in Phillips County**-Commissioner Randash asked if they had heard much on this. No, they have not heard much on this.

**Airport**-Penny stated it was noted Fallon County received a \$256,000 grant for more work at the Baker Municipal Airport.

Randy announced **Congressman Daines** would be in Miles City on Monday for an open forum. This would take place at the Courthouse, top floor-Courtroom #1 at 3:30 PM.

**3:58 PM-Carter Smith** joined for his appointment. Carter wondered if he could have permission to shoot off fireworks at the Gazebo parking lot since they cannot at the Fairgrounds.

Carter explained they would also like to get a few volunteer firefighters to be in charge of this as well. The fireworks will be shot in the air so they can be seen at the Fairgrounds. When Carter spoke to the Park Supervisor, Scott Rabbitt he stated that as long as they cleaned up the mess afterward he did not have a problem with it. The Commission asked Mr. Smith to find out if they can get some fireman to be on standby and come back on Monday July 1<sup>st</sup> at 11:30 AM. Carter left the discussion at 4:15 PM.

**Back to Randy Vogel**-Further discussed BLM-RMP (EIS)-It is felt Todd Devlin plans to bring a protest letter in for the Commissioners to sign and that letter will be sent to all agencies.

**Affordable Care Act**-Randy visited briefly about this.

Randy and Penny left the discussion.

**4:15 PM Terry Sukut**, JGA Architect met to further discuss elements of discovery at the Fairgrounds.

**Fairgrounds**-Storm Sewer-City Works Director came to camera the entire line. The roof drains from the north end was the only place they noticed the drain coming in; need to talk to Gene or Chris from Cucancic to find out if they tied all the lines together.

**Sanitary Sewer**-Does not look like it is plugged at the furthest south manhole and a little further south.

**Inside mud flow**-Terry feels water came up out of sewer system in the Girl Scout booth. Floor appears to have sunk at the most 1-3/4". Terry is not sure if the wall was not all the way under to begin with.

**Inside lines**-Terry would like to get them to come and camera the lines inside. Terry was not sure if they cleaned the floors the first time and washed it down the drains; the plumber came to check things out. Terry does not want to cut a hole in the floor at this time; would rather wait until the lines were cameraed inside the building. Does not feel it washed under the building because it sits on a 2 foot footing that is set 4 foot under the ground.

**Report**-Terry will draft a report, include all of the lines, and decide what to do with the gap under the wall for the Girl Scout Booth slab.

The highest portion measured up above the back of the grandstands was 7'10"; Middle at the big column 18'; First row of lights 11'2"; First row of halogen-13' approximately. The other 3 rows were too high.

**Sketch**-Terry will do a sketch and give to the Commissioners to take to Baker Metal to build a platform for the lift.

**Plumber/Engineer/Other Contractor**-They will have to wait to hear from the plumber also. Also want to visit with Jon Brosz, Brosz Engineering and possibly John Peila, Diamond J Construction.

**FOLDER ITEMS:**

**ENCROACHMENT PERMITS**

#569-Bore across the Anticline Road in Section 20-10-58 with a Potable Water Line.

\$150.00 received.

#570-Bore across the Anticline Road in Section 19-10-58 with a Potable Water Line.

\$150.00 received.

**PHEP CONTRACT**

Commissioner Ranum signed the FY2014 Public Health Emergency Preparedness Grant.

ADJOURN

s/Deb Ranum, Chairperson

ATTEST:

s/Brenda J. Wood, Clerk and Recorder