

Monday, April 27, 2015

**9:00 AM CONVENE**

**PRESENT** William L. Randash, Chairman; Steve Baldwin and Deb Ranum, Members, Lani DeBuhr, Clerk

**9am- FOLDER REVIEW**

**JOURNAL ENTRIES:**

**#506-**The Commission approved moving \$4,238.58 from Dispatch Purchased Services account to 911 Purchased Services account.

**REPORTS/MINUTES/FLYERS:**

**Fair Board-** March 16, 2015 Fair Board Minutes

**Extension-** May 2015 Fallon-Carter County 4-H News Flyer

**MISCELLANEOUS:**

**Library:** The Commission received a copy of Stacey Moore, Library Director's, Application Form for the Montana Certification Program for Library Directors, Staff & Trustee's that she is submitting to the State now that she has completed her certification requirements.

**Landfill:** The Commission received the revised Operation & Maintenance Plan and Landfill Master Plan for the landfill dated 04/23/15 to review and provide feedback on. The Commission gave a copy of this plan to Tom Kachel, Landfill Manager, to review and comment on as well.

**Feedmill Bridge:** The Commission received Diamond J Construction's final Pay Application 4F for the Feedmill Bridge from Brosz Engineering for their review.

**Project Updates from Dwayne Bohle,** Special Projects dated 4/21/15 & 4/27/15:

**Big Barn Fairgrounds:** All interior walls are sided. **Cold Storage Fairgrounds:** Large storage doors are all operational. Workshop is completed and workbench has been added. Cement aprons are going to be installed. **Sandstone Project:** Land has not been reseeded yet. **Gun Range Building:** Lights for Pistol Range are being installed. The outside of building is being caulked as weather permits. Partitions for bathrooms and fixtures are being installed. Floors are being conditioned. Insulation in ceiling on archery side is being done. **Iron Horse Park:** Fill dirt is in and landscape rocks are being installed.

**Sanitarian:** Received copy of letter Rich Menger, Sanitarian, sent to Stephen White notifying him the maintenance was done for the wall-mounted space heater at the rental at 211 Wabasha Avenue and thanked him for the speed in which he completed the maintenance.

**BID/BID SPECS:**

**Senior Center:** The Commission received a copy of the Bid Notice & Bid Specs for the Senior Center Roof Replacement Project.

**MISCELLANEOUS REVENUES:**

**Miscellaneous Receipts** - \$300.63

**ST of MT-Department of Administration-** Taylor Grazing funds: \$13, 749.16

**BLM-Bankhead Jones-** Yearly Payment: \$267,459.69

**ST of MT-CTEP Funds-** \$10,257.56

**Baker Air Service-** County Portion for March Aviation Fuel Sales: \$250.63

**Sewer Revenues-** \$50.00

**Treasurer Cash Report-March 2015: Amounts on deposit in demand savings, fiscal agent accounts and Cash on Hand- \$99,230,569.93**

**ACTION ITEMS:**

**Town of Plevna Water Project Funds Transfer:** The Commission received an email dated 04/27/2015 from Jason Rittal, Eastern Plains Economic Development Corporation Director, notifying the Commission the Town of Plevna has received a bid for the completion of the water project. The Town of Plevna is requesting \$2.5 million be transferred to the town so they can select the contractor and begin the work. Commissioner Ranum made the motion to give the Town of Plevna the money requested. Commissioner Baldwin seconded the motion with a question attached. Commissioner Baldwin asked the question of how long the County would need to provide Plevna with funds for their various projects & improvements. Commissioner Randash stated it will continue as years ago he believes a "gentlemen's" agreement was made

that the County would assist the cities of Baker & Plevna with their projects & improvements with the Oil & Gas Revenues they receive. As long as these revenues continue to be collected, the County will continue to assist the cities. Commissioner Baldwin said he understands that but still has concerns with the decreasing revenues and what will be expected of the County in regards to these funds. With the question on the floor and the question answered, Commissioner Randash asked for a vote. 3 Ayes. 0 Nays. Motion Carried unanimously.

**Army Corps of Engineers:** Commissioner Randash signed the Feedmill Bridge Compliance Certification from the Army Corps of Engineers dated 04/27/2015.

**MT DPHHS:** The Commission signed the Service Provider Designation Form authorizing the State-Approved Chemical Dependency Service Provider to receive earmarked alcohol tax monies from the County for FY 2016.

**Eastern Montana Drug Task Force:** Commissioner Randash signed the Eastern MT Drug Task Force Memorandum of Understanding waiving Pass-Through Funds to be used for the project during FY2016.

**Fair:** The Commission agreed to give the Fair Board permission to purchase 2 panel trailers for \$1575 each.

**Human Resources:** The Commission approved a rate of pay increase for Judy Hunt completing one year of employment and signed the Change of Rate of Pay Approval Form dated 04/27/2015.

#### **9:30AM- GAZEBO PARKING LOT, Scott Rabbit, Parks Director**

**Gazebo Parking Lot Quote:** Scott came in to speak to the Commission about the quote that they denied last week. The Commission told Scott the reason they didn't approve the quote is they are concerned about spending money to repair parking lot before the water issue has been resolved. They would like to have Scott detect the source of the water and have it repaired before the work from the Griffith Excavating quote is done. Scott agreed with the Commission and said he talked to Bobby Wiedmer, Road Foreman, about using backhoes to dig up parts of the parking lot to find out where the water leak is at. Scott said Bobby suggested rolling on a matting material the Road Department uses to stop the moisture coming up before the millings are put down and it is sealed. Scott said Bobby would have time to do this when it became dry but it may not be done prior to the car show on May 30<sup>th</sup>-31<sup>st</sup>.

**Sidewalk Project:** Scott reported Gamut Construction has started on the sidewalks.

#### **9:55am- Bobby Wiedmer, Road Foreman and Alba Higgins, Shop Foreman, joined the meeting.**

**Gazebo Parking Lot Quote:** Bobby joined the meeting and Scott explained to him what the Commission and Scott discussed about the Gazebo Parking Lot. Commissioner Randash asked about putting a drainage system of some type in the parking area and Bobby said they were planning on putting drain tile on top of the matting that would spill into the cement drain there to deal with the drainage problem. Scott said he will turn the water meter on today and isolate the flow to the gazebo area in order to see if and where water begins to appear. He said this information plus looking at the irrigation maps will help them to decide where to start digging to find water leak. Commissioner Ranum asked Bobby if he would be willing to help Scott dig up the ground to find the leak and he said he would. The Commission said once the leak is detected Scott can have Griffith Excavating fix it and the parking lot according to the quote. Bobby said in addition to the repairs, the millings in parking lot need to be sealed so during the winter and spring months the moisture doesn't seep through it. All parties present discussed if the repairs could be done prior to the May Car Show and what to do if the repairs can't be done. The hospital parking lot is not available due to construction and there are no other parking lots that would be well suited for the car show. It was decided that if the repairs aren't done by the Car Show dates Scott will do his best to even the lot out and make it as usable and presentable as possible.

#### **10am- Scott Rabbit left the meeting.**

#### **10AM- ROAD/SHOP REPORTS, Bobby Wiedmer, Road Foreman, Alba Higgins, Shop Foreman**

**Blading:** Blades are out working the roads now that it has rained. Commissioner Randash asked if Tom Owens called Bobby about their road because he called him about it. Bobby said no he didn't.

**Culverts:** TrueNorth Steel didn't send all the culverts that were ordered on their last delivery. Bobby said this is a common occurrence and he talked to the salesman to find out why the truck wasn't loaded full with the culverts the county ordered. Commissioner Randash suggested using a guy he knows at the Fargo branch and Bobby said they wouldn't order from the Fargo branch as they don't mark or index the culverts. Commissioner Ranum asked why we

couldn't transport them ourselves if we were having continuous problems with delivery. Bobby said we don't have the equipment to transport them. Bobby said he is considering telling TrueNorth Steel when they arrive without all the culverts needed to go back to get the others without unloading to make his point.

**Truck Hitches:** Custom Auto Advantage had the best price at \$400 for frame kit and \$900 for the hitch equaling \$1300 per hitch. Alba said they will need to order 9 of them so that all the Road Department trucks have these hitches. Alba told the Commission they will have 6 new pickups and will keep 3 from their current fleet and asked them what pickups they think he should keep. Alba is considering keeping the 94' Ford Ranger, the 94' full size blue Ford, and the 99' 2 wheel drive blue shop pickup. This will leave 4 pickups to be sent to auction or given to another department. They are planning on giving the 98' Ford 150 to the Fairgrounds. Alba said the Dodges at the Fairgrounds can go to auction too but he thinks one of them can be used to do the watering job around town. Commissioner Randash said the city does the watering job so we would have to put the title in their name. The Commission gave Alba permission to purchase the hitches he needs.

**Mac Truck 213-** Check engine light is on and the injectors are being erratic. It needs to be fixed if we are going to keep it and make it into an end dump. Diamond Truck in Billings can stretch the frame for the end dump.

**Senior Bus:** They will get rid of this Sprinter if they get a grant for another one since it has had several mechanical issues. Commissioner Baldwin asked why we continue to get Sprinters since they are unreliable. Alba said the state is the one who chooses the Sprinters but they are aware they are not a good vehicle. They had the old bus in and had to troubleshoot it without the scanner which was time consuming. They were able to get it going after a lot of trial & error. Because of this Alba would like to purchase an upgraded version of the scanner at NAPA. The scanner is currently on sale and would be \$3400 with the machine and year subscription of software. This scanner would be used on all vehicles to detect problems. He suggested putting the older scanners into the auction. The Commission approved the purchase of the scanner.

**Jim Hurley Cattle Guard:** Jim bought his cattle guard and the county will install it.

**Road Decals:** Road Department will be putting new decals on all of their trucks and pickups.

**Big Hill Road:** Crew is almost done graveling the road but can't finish it today since it is muddy.

**Mulching:** Crew will start mulching again as soon as they can't blade.

**Culverts:** Crew replaced 2 culverts by Cougar Hill (Richard Schaeffer' property). The culvert for the Cemetery Road in Plevna is here and Cliff Tudor will install it.

**Woodsend Road:** The crown on the road is still there but has been knocked down. Bobby said there will always be somewhat of a crown due to the drainage beneath the road but it will decrease over time.

**Pinnow Pit:** Arnold Pinnow took the rocks and some of the gravel from the pit. It should be seeded now and done.

**10:35- Alba Higgins & Bobby Wiedmer left meeting.**

**11:05am- Jim Lieschner, County Insurance Agent, and Debbie Wyrick, Deputy Clerk & Recorder, joined the meeting.**

**Insurance:** Jim Lieschner, County Insurance Agent, said he is working with the underwriter to get all of buildings back to being insured at Replacement Cost Value rather than Actual Cash Value (ACV). The underwriter said she has to contact her management to get more information about our policy and will get back to Jim once she has more information. Jim said the new Gun Range Building will be insured at Replacement Cost.

**11:20am- Jim Lieschner & Debbie Wyrick left the meeting.**

**11:24am- Lisa Mitchell, Ambulance Director, joined the meeting.**

**Ambulance Updates:**

**Recruitment:** Lisa has talked to the State about recruiting, contacting instructors and the earliest the next class will start is next fall.

**Ambulance:** Lisa suggested the County needs to get rid of Ambulance #22 due to mechanical issues they continue to have.

**Staffing:** Commissioner Ranum asked Lisa how she was doing with her help and the hours she is working. Lisa said things are going good and she has good help to cover over the weekends and take lead. She has been documenting her office hours and on-call hours per Julie Straub, Human Resources Manager.

**Ambulance/Fair:** Lisa said the Fair Board needs 2 ambulances during the rodeo & derby plus a first aid station on-site. Lisa says she isn't sure this can be done as it will cause a problem with covering the county during that time.

**Ambulance Equipment:** Lisa is going to talk to the Ambulance Board tonight about the trailer. She doesn't feel the Ambulance needs it and would like to sell it or give it to another department.

#### **11:30AM- AMBULANCE BOARD APPOINTMENT**

One application was submitted for the vacant Ambulance Board Position. The Commission read the letter of submittal from applicant, Dale Butori. Commissioner Baldwin made the motion to appoint Dale Butori to serve on the Ambulance Board effective 04/27/15 to 06/30/16. Commissioner Ranum seconded the motion. 3 Ayes, 0 Nays. Motion carried unanimously.

#### **11:45AM- PUBLIC COMMENT**

No one appeared for Public Comment.

#### **12PM- CLOSED/PERSONNEL**

#### **12:30PM- RECESS**

**Commissioner Ranum** made the motion to recess. **Commissioner Baldwin** seconds the motion. 3 Ayes. 0 Nays. Motion carried unanimously.

Noon Recess

#### **1:15 PM RECONVENE**

#### **1:15pm- David DeGrone, Army Corp of Engineers & Monica Heindal, EPA**

**Baker Lake Mitigation:** David & Monica arrived to tour the Baker Lake to assess the next steps needed for the mitigation of lake. Others in attendance were David Turch, County Lobbyist, Jason Rittal, EPEDC Executive Director, Rich Menger, Sanitarian, Lance Wedemeyer, City of Baker Public Works Director. The Commission took attendees around the lake to various shores that are county owned, the Afrank residence shore, and the channel between the Upper and Lower Baker Lake. The findings of their visit are:

**Vegetation-** There is some vegetation growing back in the areas that were affected. Monica said she was surprised at the slow growth she saw. Commissioner Baldwin explained to her that the alkali in the water limits the growth.

**Shoreline:** There are several places along the lake that have begun to erode. Monica & David DeGrone said the lack of vegetation along the shoreline has lent to the shoreline eroding. They suggested planting vegetation along these shore lines to prohibit rapid erosion.

**Habitat:** There were many ducks and geese on the lake. However, the fish population is down dramatically. Lance and Rich contributed the lack of fish due to the shallowness of the lake. The deepest part of the lake is around 6 feet which is not deep enough to sustain life of fish during the winter months. The biggest contributor to the lake depth is the silt that continues to settle in the lake from the drainage run off. Commissioner Baldwin said when the old gate was pulled off the end of the dam it let a lot of silt come into the lake. The new gate that is put into place will help with sediment overload as it will pull from the middle channel rather than the south. Monica Heindal & David DeGrone said that creating vegetation and habitat around the culvert area would act as a natural filter and may help with the silt issue also. Lance asked if the lake could be dredged in parts to make it deeper. David DeGrone said yes it possibly could but only after the County has satisfied the EPA mitigation. Once that is complete they could submit for a permit to do the dredging work. Monica suggested the County create a Master Plan for the lake that may include the dredging after things are settled with the EPA.

**Wetlands:** Commissioner Baldwin explained to Monica Heindal & David DeGrone that the maps from the Fish, Wildlife & Parks didn't designate the shoreline of the lakes as being "wetlands" and that is what they were going off of when removing the cattails in 2006. Monica said that anytime there is water, soil & plants in an area together it is considered a "wetland" and must be treated as one. Monica noted that Baker Lake has jurisdiction with its shorelines & water and that those maps are updated every 5 years. She said those are the maps that need to be referred to in regards to any activity on the lake.

**Suggestions:** The Cease & Desist Administrative Order issued by the EPA in 2005 is still in effect and will continue to be until the County submits a Restoration Plan the EPA approves.

The County has submitted 2 restoration plans in the past, the 2<sup>nd</sup> plan was dismissed by the EPA entirely due to it suggesting all mitigation to be off-site. Monica said the County would benefit by reviewing the 1<sup>st</sup> Restoration Plan they submitted to the EPA in 2010 and the comments given back to them by the EPA. Then with this information the County can create a new Restoration Plan that includes the things the EPA suggested and made comments on. Commissioner Baldwin asked if they could form a team to revise this plan and submit it without having to pay for consulting fees. Monica said the Administrative Order stated the Restoration Plan must be done by a consultant and must include a resume of the consultant.

**Mitigation:** Monica said the majority of the mitigation needs to be on-site and suggested county owned shorelines to be locations for the mitigation to occur. The mitigation does not have to be at the exact location that was affected but the linear footage needs to be mitigated as a whole. Monica said there may be a possibility that some of the mitigation could be done at the channel area connecting the Upper and Baker Lakes. Commissioner Baldwin asked if the mitigation could be done over time and Monica said considering the length of time this has been an issue it would need to be done at once. She said it is in the County's benefit to do it all at once as well since there is a 5 year monitoring period that follows the completion of mitigation. Lance asked what the square footage of the area that needs to be mitigated is. Monica said the standard is 3:1, meaning mitigating 3 times the area affected. She said the order identifies the impacted area and the County would need to apply 3 to 1 to the linear footage impacted. Commissioner Baldwin asked if that ratio was set in stone or if it could be reduced. David DeGrone said the standard is 3:1 but they have reduced it to 2:1 or 1:1 on occasion.

**4:10pm- Lance Wedemeyer, Rich Menger, Monica Heindal & David DeGrone left the meeting.**

David Turch, Jason Rittal & the Commission discussed what to do next. David Turch is going to check to see if a consultant has to be used as the Restoration Plan states since it would be quite expensive. The Commission will talk to Rich Menger, Sanitarian, to ask him to help with the plan.

**4:40pm- Commissioner Ranum received a voicemail from Tisha Alberts at 10:18am 04/27/15.**

The message stated Tisha needs Brosz to review & red line their subdivision. She said it has been 2 years and she has people who need to get paid.

#### **5:00PM ADJOURN**

**Commissioner Ranum** made the motion to recess. **Commissioner Baldwin** seconds the motion. 3 Ayes. 0 Nays. Motion carried unanimously.

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ADJOURN

s/William L. Randash, Chairman

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MINUTE TAKER:

s/Lani J. DeBuhr, Clerk

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ATTEST:

s/Brenda J. Wood, Clerk and Recorder

Thursday, April 30, 2015

**10AM CONVENE**

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

**10AM- CAPITAL IMPROVEMENT PLAN & BUDGETS REVIEW;** Brenda Wood, Clerk & Recorder, Barb Ketterling, Treasurer, Jason Rittal; Eastern Plains Economic Development Corporation (EPEDC) Director

The Commission met with Brenda Wood, Barb Ketterling & Jason Rittal to review the Capital Improvement Plan and budgets.

**12:30PM- RECESS**

**Commissioner Ranum** made the motion to recess. **Commissioner Baldwin** seconds the motion. 3 Ayes. 0 Nays. Motion carried unanimously.

Noon Recess

**1:15 PM RECONVENE**

**1:15PM- LBSCD GRANT**

**1:20pm- Lani DeBuhr, Clerk, joined the meeting.**

Kodee Olson, Member of Public, did not appear to sign LBSCD Grant Papers as scheduled.

**EASEMENTS:**

The Commission signed the Grant of Easement for the Kramlick Structure Replacement Project between Rodney & Brenda Kramlick and Fallon County dated April 30, 2015.

**MISCELLANEOUS BUSINESS:**

**FBI Pipeline Safety & Awareness Program:** The Commission gave Chuck Lee, Disaster & Emergency Services Director, permission to attend this program on May 13, 2015.

**2PM- PUBLIC HEARING-MVD GRANT FUNDS**

No one appeared for the public hearing.

**Budget Authority Resolution**

The Commission passed and signed Resolution 4-30-2015, authorizing the allocation of unanticipated State of Montana-Motor Vehicle Disposal Funds to the Motor Vehicle Disposal revenues and expenditures accounts. Resolution 4-30-2015 is as follows:

**BUDGET AUTHORITY RESOLUTION  
RESOLUTION NUMBER 4-30-2015**

**WHEREAS**, on March 18, 2015 the County of Fallon received unanticipated State of Montana-Motor Vehicle Disposal funds in the amount of \$7,500.00 for which no provision was made in the 2015 Fiscal Year County budget; and

**WHEREAS**, Counties may appropriate State of Montana money received during the fiscal years by formal resolution,

**NOW, THEREFORE, BE IT RESOLVED** that the Board of County Commissioners hereby appropriates the sum of \$7,500.00 and directs the County Clerk and Recorder to allocate said amount to the following program revenues and program expenditures activities:

**REVENUE CODE 2830-335070 \$7,500.00**

**EXPENDITURE CODE 2830-430840-300 \$7,500.00**

**BE IT FURTHER RESOLVED** that the above appropriation shall become effective on April 30, 2015.

**BE IT FURTHER RESOLVED** the Commission has directed the Clerk and Recorder to file this Resolution. Introduced and passed this 30th day of April, 2015. Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Absent: \_\_\_\_\_.

**ATTEST:**

s/Brenda J. Wood  
Clerk and Recorder

**FALLON COUNTY COMMISSION**

**BAKER, MT**

s/William L. Randash, Chairman

s/Steve Baldwin, Commissioner

s/Deb Ranum, Commissioner

**2:30PM ADJOURN**

**Commissioner Ranum** made the motion to recess. **Commissioner Baldwin** seconds the motion. 3 Ayes. 0 Nays. Motion carried unanimously.

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ADJOURN

s/William L. Randash, Chairman

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MINUTE TAKER:

s/Lani J. DeBuhr, Clerk

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ATTEST:

s/Brenda J. Wood, Clerk and Recorder