

Tuesday, February 17, 2015

9:00 AM CONVENE

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

9:00 AM Chuck Lee, DES/911 Coordinator

Air Force Training-Dean Stetson, Assistant Fire Chief at Ellsworth Air Force Base contacted Chuck regarding training for the Air Force bombers. Chuck stated they will come to Baker or will email the information for the training. Information was sent to all First Responders and the Commission.

They are scheduled to meet Thursday, March 26th 7:00 PM at City Hall in Bowman. Chuck would like to hold this training the same time he holds The Gathering-April 15th, 2015 at Thee Garage.

Commissioner Baldwin feels we do not need anything until they have the boundaries set also feels the Air Force is jumping the gun. **Commissioner Ranum** feels we should have him meet at The Gathering. **Commissioner Randash** feels it is okay to hold it during The Gathering meeting; permission to proceed with the April 15th meeting.

9:25 AM Jerrid Geving, Fair Board Member

Commissioner Baldwin asked **Lani DeBuhr**, Fair Board Member to join the group.

Rodeo Committee-Jerrid stated the Fair Board has been approached about having a Rodeo Committee to assist them during the Fair and discussed increasing the purse through their donations.

Commission stated the Fair Board should discuss further and make the decision on the Committee but granted permission to add \$12,000 to the purse.

9:30 AM Richard Menger, Sanitarian

Monthly reporting and updates-Rich stated he has inspected a piece of property in Plevna. According to the State of Montana there are no underground tanks on that property. The owner of the property will receive a letter regarding concerns and conditions of this property.

Recalled Food Class-Rich completed a 6 credit course pertaining to recalled food; a lot of good information was received from attending this class.

Subdivision Training-Leaves Thursday to attend Subdivision training in Helena.

Serve/Safe-Fully certified trainer for Serve-Safe and plans to train the local entities.

Humane Society-Met with EMHS member onsite at the existing Humane Society building. EMHS (Eastern Montana Humane Society) currently has no money to operate with. Rich stated he does not know how long it will take to complete clean-up, etc. but when they open he will assist to make sure it is done correctly. **Commissioner Baldwin** feels there needs to be a deadline for completion. Rich explained there are a lot of things that have to be done before they can open the doors again.

Splash Park-Commissioners asked if Rich had any concerns with the Splash Park. Rich stated his only concern is when using Baker water, the spray will kill the grass due to the salt. Rich stated he recommended they use a lot of gypsum.

Truck Wreck Protocol-Rich updated the Truck Wreck Protocol and had the Health Officer, Board of Health Chairperson, County Attorney and himself sign-off on it.

9:55 AM Jasen Wyrick, Wyrick Construction

Pits-Jasen explained he just opened two (2) more big gravel pits north of Baker. One pit is located 1 mile past Frank Bondell and one is located on Allen Rustad's property. Wibaux County wants all of the gravel from the Rustad Pit and Slope County in North Dakota wants several thousand yards from the other pit. Jasen wanted to know if Fallon County wants some gravel too. Commissioner Ranum made a motion to commit to purchase 500,000 yards of crushed gravel, when needed, at various locations throughout Fallon County. Commissioner Baldwin seconded the motion. Commissioner Randash asked for discussion. Jasen expressed the prices are subject to inflation. Commissioner Randash asked for further discussion. There being no further discussion Commissioner Randash asked for those in favor to signify by saying Aye. 3 Ayes. Commissioner Randash asked for those opposed to show the same sign. 0 Nays. Motion carried unanimously.

Anticline Maintenance-Jasen asked if the Commission had given thought to more road maintenance on the Anticline. Jasen discussed a one year trial run for maintenance, also stated the cattle guards and culverts would be reported to the Road Department. The Commission will discuss further before making any decisions.

THANK YOU

Fallon County Times called to see if the Commission would like to put a Thank You in the paper for the volunteers; the Commission agreed to do so.

10:00 Bobby Wiedmer, Road Foreman; **Alba Higgins**, Shop Foreman; **Jon Brosz** and **Shannon Hewson**, Brosz Engineering

Landfill Loader-T & E was contacted to have equipment maintenance reporting converted from cell tower to satellite reporting. This should be completed at T & E's cost.

Heath Nurse Blazer-The Shop is putting a new radiator in the Health Nurse blazer.

Purple Ranger-Changed the front spindle; waiting for it to be realigned.

Sheriff-They understood the Sheriff's Department may be purchasing another pickup, the Road Department would like to use the old pickup to pull behind blades. Permission granted when the Sheriff's Department purchases their new vehicle.

Lighting-Direct Electric is working on lighting in the old and new oil change bays.

Kenworth-Mitch Overn, Shop Mechanic will be taking one of the Kenworth trucks to Motor Power in Billings. The release bearing is pulling out of the pressure plate; this is the 3rd one this has happened to; plan to try a heavier clutch.

Tires-The new tires ordered through Net State are quality tires; the shop Mechanics were trained how to date tires. Discussed purchasing new tires verses paying to have tires recapped. Discussed concerns having an abundance of mismatched tires. Alba stated the trailer and truck tires are standard.

Alba left the discussion.

Gravel-Gravel purchases from Wyrick Construction was discussed.

Jon and Shannon reported on various projects.

Diamond J-Jon and Shannon discussed liquidated damages with the owner of Diamond J.

Upper Dam-John P agreed to the upper dam liquidated damages at \$18,000.

Feed Mill Bridge-John P did not agree to the \$7,000 liquidated damages for the Feed Mill bridge.

Commissioner Ranum asked if the Commission would agree to meet Diamond J half way.

Commissioner Baldwin stated he would not agree to that. **Commissioner Randash** can sympathize with them but.... Bobby explained by being late it caused issues when the Road Department laid the surfacing. Jon will go back to Diamond J to discuss this further and if he still disagrees they will bring him in to discuss it further.

Retaining wall (behind NAPA)-This is at design as they need to make a few changes. They need to get the Corp permit and prepare to get ready to go to bid. They also have to wait for the local permit. The Corp does not have a problem having the channel cleaned; FWP does. **Commissioner Baldwin** asked if FWP had problems with the County lining the channel. Jon stated the County can only line the erodible areas. **Cordell Perkins**, Miles City FWP is going to try to assist the County with this. Jon stated they are trying to get permission to cement from the spillway to 1st Street. They are waiting on the Corp permit for the channel, then have to advertise for 3 weeks before receiving the Local permit. **Lance Wedemeyer**, Public Works Director is gathering quotes from local contractors to complete the work.

Permitting New Landfill-Brosz Engineering will help do whatever they can for the new Landfill.

Cemetery-Shannon spoke to **Jon Stevenson**; Jon S suggested he contact **Mike Madler** as he is the GIS person for the Cemetery. Mike wants to see each lot pinned; leave the old lots alone; to do this the cost will be approximately \$5,000.00. They sent the plans, completed by Shannon, to Jon Stevenson and Mike Madler first. Hopefully in the next two weeks the Cemetery Board will meet and approve the plans.

Certificate of Survey-They completed the Certificate of Survey for Lot 5, Block 28, Milwaukee Land Company's 2nd Addition as requested by the Commission.

Steffes Right of Way-Lisa Axline, MT DNRC discussed the Steffes Right of Way. Lisa is not sure they can transfer easement to a private individual. Not sure if the road from the Highway can be abandoned or if it needs to be repaired due to liability issues. Further research will have to be done regarding this.

North Baker Drainage-Waiting on WBI and Denbury for the pipeline depths to complete the drainage project in North Baker. They will wait on that approval before they get the right of ways. This drainage was affecting the Nelson Property; Nelson's had Brosz move the drainage off of their property. Commissioner Randash signed the Corp permit for this project.

Westmore Bridge Project-Stan Howe, adjoining landowner was concerned about the fence line changing. Shannon stated they told him the fence line will go back in the same place; still waiting for his easement to return before proceeding

ROAD REPORT-Bobby will report immediately after Rec Department report is finished.

11:00 AM –Angie Rabbitt, Recreation Director

Newsletter-The newsletter is going out in the paper this week.

Bowling-They are going to try to incorporate bowling into the program. The Fallon Flyer will pick up the youth at school at 3:45 and drop them back off. If they are unable to do this Angie asked if she would have permission to drive the old Fallon Flyer. Will find out from **Debbie Wyrick**, Insurance.

Movie Night-Angie is going to try family movie night on Friday nights; the children will have to come with a parent.

Parenting workshop-Angie is going to offer the Parenting Workshop again this spring. Angie is asking for sponsorships; may also see if she can get some funding from adult-ed through the school.

Upcoming Events-Dance, track, babysitter clinic, basketball, Baker Jam.

Baseball-Commissioner Randash asked if they would be offering baseball again this year. Yes, Angie is working on all the particulars for this season.

11:20 AM Rich Menger, Sanitarian

Baker Lake Remediation-Rich plans to review the information he found.

11:25 AM Bobby Wiedmer, Road Foreman returned

ROAD REPORT

BLM-Bobby needs to meet with the BLM at the Dan Thielen Pit, to review it.

Jasen Wyrick Road Material-Bobby stated the Commission needs to be sure to get some specs for the gravel they intend to purchase from Jasen Wyrick before use on the County Roads.

Woodsen Road-They are hauling gravel on the Woodsen Road.

Cabin Creek Bridge-Commissioner Ranum stated Jarrett Hadley wants a correction to the minutes from January 26, 2015. **The minutes stated: Discussed the bridge materials the Hadley's wanted; Bobby stated the Hadley's did not show up to get the materials so the Road Department hauled it away.** Jarrett told Clint and Ross to leave the useable planks near the road. Bobby stated yes he did but Bobby was not going to have the Road Crew sort the materials. Jarrett was going to haul the materials with his own skid steer. Bobby stated when the materials were not picked up right away, the Road Department hauled them away so as not to create a safety hazard if covered with snow, etc.

Anticline Road-The group discussed contracting work on the Anticline Road. Bobby does not feel the Commission could justify that when there are other roads that are just as important as the Anticline Road.

11:45 AM Mid-Month Claims Reviews

The Commission started processing the February Mid-Month Accounts Payables.

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

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

1:15 PM Mona Madler, SMART Director

1:20 PM Mary Grube, Planning Secretary joined.

CTEP Project-The group discussed the budgetary proposal from Peaks to Plains.

Project Agreement Modification-Mona reminded Brenda the Modification for the Project Agreement needs to be sent to **David Holien, MT DOT** as soon as possible. This agreement shows the County had changed the projects from what it started as, to what the project is currently being submitted as.

Services Agreement from Peaks to Plains-The agreement was approved by MT DOT. **Darcy Wassmann, County Attorney** has the agreement and is reviewing it. The group reviewed the responsibilities of the County to Peaks to Plains. Jolene, Peaks to Plains explained the work scope and fees ended up being higher than the original estimates. The budgetary amount for services from Peaks to Plains will be \$37,680.00.

Construction Costs-If construction runs over the projected \$97,000 they need to know if the County would be willing to pay any costs over that. If the County does not want to go over the budgeted proposal the County can at that time remove items from the construction bid. **Commissioner Randash** wondered if it would be possible to use some of the Millennium money for this project as well; Mona will find out. **Commissioner Randash** stated someone gave money toward the project so their name could be stamped in the sidewalk, but that never happened. **Commissioner Ranum** asked Mona to find out if there were other funds donated by individuals that also did not receive recognition.

1:30 PM Completed Mid-Month Claims Approvals

The Commission completed the February Mid-Month Claims Approvals in the amount of \$507,180.67 and they are filed in the Clerk and Recorder's office.

2:00 PM Lutheran Pastors Bruce and Reba Kolasch; Julie Stanhope, Parish Secretary; Fred Houszvicka, Board Member; John Geving, Church Member; Alissa Miller, Board Member; Brittany Lyson, Board Member and Donna Houszvicka, Church Member

New Food Booth-The group met to discuss the proposed new Lutheran Stand. Concerns expressed in tearing down the old and replacing with new before this year's Fair. No one has approached **Darrell Aaby**, Building Codes Inspector as of this time. **Richard Griffith** earlier told the group he felt they would need to start by April 1st to be ready for this year's Fair. **Commissioner Ranum** stated they would need to have MDU scheduled to start on this as well.

After much discussion the group feels it will be best to move forward September 1st, after the Fair is over. This will give more time to complete the entire plan, including booth layout and decisions on equipment needs. Also discussed storing items from the old booth and for the new booth until construction of the new building is complete. The Commission felt there would be room under the new Grandstands.

Discussed what the County would be willing to pay for inside the building such as counters, etc. **Commissioner's Ranum** and **Randash** discussed items that were not provided to the other food stands. John feels other food stands do not provide what the Lutheran stand provides.

Size-They will need to determine a definite layout and size for the new stand and the group felt it would be helpful to meet with a contractor to gather other ideas. **Commissioner Randash** felt they could also get some advice from the Fair Association as well.

Costs-**Pastor Reba** stated the Lutheran's need to know what each party will be responsible to pay for. It was asked if the County would pay for whatever is part of the building and discussed the County paying for the anisol hood.

Contacts-The Lutherans will contact **Darrell Aaby** and **Richard Griffith** for advice; they will then meet with the Commission. Discussed who should meet with the Commission. **Pastor Reba** felt those that have been doing the footwork or those present today should stay in touch.

2:30 PM FOLDER ITEMS

Commissioner Baldwin made the motion to accept the recommended appointments, from the City of Baker, of **Gary Irgens** and **Randy Hoenke** to the Fallon County Planning Board. **Commissioner Ranum** seconds the motion. 3 Ayes. 0 Nays. Motion carried unanimously.

AIRPORT PROJECT-**Commissioner Ranum** signed the Final Project Closeout Documents for the Baker Municipal Airport Projects.

ARMY CORP OF ENGINEERS-Commission was notified the Army Corp of Engineers reviewed and approved, with conditions, the MT Joint Application to replace 6 structurally deficient bridges with reinforced concrete box culverts to improve traffic safety.

ENCROACHMENT PERMIT-Commissioner Ranum signed Encroachment Permit #606 for Denbury Resources to bore under the Coral Creek Road with a replacement pipeline. \$150.00 payment was received.

MT DOT-District Meeting-To be held March 18, 2015 in Miles City at the Community College

Welcome New Employees-**Paul Christ** – Laborer and Weigh Master at the Landfill; **Tricia Shipman**- Justice Court Clerk; **Nic Eisele**-Undersheriff and **Mary Alice Havens** and **Lori Hall**-Substitute Bus Drivers.

MISCELLANEOUS REVENUES

State of Montana-DOT-February Fuel Tax Allocation-\$4,139.00

Baker Air Service-January, 2015-County Portion of Aviation Fuel Sales-\$218.00

REPORTS

Project Report from DuWayne Bohle-February 22, 2015-**Fairgrounds Cold Storage Unit**-Workshop Framed, Electrical wiring waiting and MDU Hookup Waiting; **South Sandstone Project**-No Progress; **Gun Range Building**-Installing floor heating system to boiler; Installing studs for walls in office and entrance and installing sheetrock inside building; **Iron Horse Park**-Installing rock for landscaping.

Treasurer's Receipts-January, 2015-\$847,784.21

3:00 PM Debbie Wyrick, Deputy Clerk and Recorder and Darcy Wassmann, County Attorney

Amicus Brief from EBMS (Employee Benefit Management Services) - EBMS (County Health Insurance Provider) wants to know if Fallon County wants to join the Amicus Brief. EBMS feels the self-funded local governments could to be excluded or exempt from a class action suit ruling.

If we decide to join them on the brief the cost to Fallon County would be approximately \$5,000. Debbie explained Fallon County has no one that falls into the category and we may never see anything come from this. This is a brief that is presented to the Judge to review and make a decision on. The Judge may not review it but the information will be there for the Judge to make a decision.

The lawsuits and class action suit have to do with medical claims resulting from at fault accident refunds; when a liability insurance and medical insurance are both billed and both pay resulting in over payment.

The Commission asked Debbie's opinion as to what she felt the County should do. Debbie feels the County should help because when that happens it is just wrong. Permission granted to join the Amicus Brief and to have EBMS bill Fallon County.

3:45 PM CLOSED-LEGAL

4:12 PM CLOSED-PERSONNEL

AGREEMENTS

Commissioner Randash signed the Consultant Services Agreement between Fallon County and Peaks to Plains, received after approved by the County Attorney. The Agreement was placed of record in the Clerk and Recorder’s office.

Commissioner Randash signed the Project Agreement Modification for this project also. The Agreement was placed of record in the Clerk and Recorder’s office.

ADJOURN

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

Adjourn
s/William L. Randash, Chairman

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