

Monday, June 15, 2015

9:00 AM CONVENE

PRESENT William L. Randash, Chairman; **Steve Baldwin**, Member and **Brenda J. Wood**, Clerk and Recorder. **Deb Ranum**, Member excused to be out of state. **Lani J. DeBuhr**, Minute Taker/Clerk excused to be out of state.

9:00 AM Julie M. Straub, Human Resource Manager

1. **Change of Position/Pay Approval**-Change of Position and Rate of Pay for Mark Sieler to receive the same rate of pay (\$23.90) year round for the Road Foreman position. Julie will meet with Mark first then the rest of the operators at the Road Department so they can all sign their new job descriptions. Commission approved and signed.
2. **Change of Pay Approval**-Toby Reissig, Dispatcher-One Year of Employment-Change in Rate of Pay from \$19.70 to \$20.70. Commission approved and signed.
3. **New Job Description**-Julie feels DuWayne Bohle's Job Description should be "Special Project Maintenance Worker". Julie asked the Commission to re-read the Job Description she completed and let her know what they think of it as is or if they would like to see any changes made.
4. **IT Hiring Decision**-The Commission agreed to hire the new IT Position at 40 hours per week. It was also agreed to start the Position at \$23.00 per hour, 6 months-\$24.00 per hour and 1 year-\$25.00 per hour. Permission to start the recruitment this week.
5. **NON-AGENDA ITEM**-Julie would like to see the maintenance department restructured; (inside and outside melded together), with one person to supervise both the Outside and Inside Maintenance. Lynda would still oversee the Janitorial duties but would like to have Joe oversee this all. Either that or Lynda should be doing the Inside Maintenance as well.
6. **Detention Officers**-The Commission has made no definite decisions at this time. The Commission would like to talk to Trent Harbaugh, Sheriff this afternoon. Discussed what could happen if the County does not hire Detention Officers. Discussed Regional Jails and the costs associated with sending individuals to Regional jails.

9:15 AM-COMMISSION BUSINESS/WORK SESSION

1. **Commissioner Proceedings**

Commissioner Baldwin made the motion to approve the June 1-5 2015 Commissioner Proceedings as submitted. **Commissioner Randash** stepped down from the Chair to second the motion. 2 Ayes. 1 Absent. Motion Carried.

2. **Rifle Range Purchase Approvals**

Commissioner Baldwin made the motion to have Vennes Fencing, Inc. complete the fencing around the air handling system at the Rifle Range in the amount of \$6,150.00. **Commissioner Randash** stepped down from the Chair to second the motion. 2 Ayes. 1 Absent. Motion Carried.

Commissioner Baldwin made the motion to purchase additional items for the class room and inside the building in an approximate amount of \$16,000.00. **Commissioner Randash** stepped down from the chair to second the motion. 2 Ayes. 1 Nay. Motion Carried.

3. **Reviewed Miscellaneous E-mails & Notices**

Notification for the DPHHS (Department of Public Health and Human Services)-FY2016 **Earmarked Alcohol Tax Distributions** for Fallon County. \$6,207.00

Debi Kirschten, Gun Range Member asked if the **safe in the Lobby** can be asked to be used for any other Departments. Commissioner's stated the safe in the Lobby will remain in the Lobby at this time.

MACo informed the Counties of various trainings taking place at various times in various locations-(G318 Local Hazard Mitigation Planning Workshop; Earthquake Safety and Mitigation for Schools; Pre and post Disaster training for Seismic Hazards; OPI-School Emergency Operations Planning and Multi-Hazard Emergency Planning).

City Council Agenda reviewed for June 16, 2015

MACo sent notification of an Interim Studies of County Road Rights-Of-Way on State Trust Land and Local Fire Protection and Emergency Service Entities and Firefighter and EMT Benefits that will be conducted to find some solutions to be presented to the 2017 legislature.

MT DOT made a few comments on the Preliminary Plans and Specifications for **the CTEP Project which will take place in the Town of Plevna and City of Baker**. These will be addressed in preparation of going out to bid for the projects. A copy of this email can be viewed at the Clerk and Recorder's office.

Dakota Farm Equipment notified the County of **updated software** required to run John Deere StarFire 3000 receivers or StarFire ITC receivers.

MACo notified the Counties of the Fiscal Year 2016 Fuel Tax Revenues that will be received. Fallon County will receive \$49,574.52 which is \$93 less than last year.

MACo informed the Counties they would receive 91.5% of the full funding for PILT (Payment in Lieu of Taxes) for FY2015. The remainder (8.5%) may be received in FY2016.

FORD Motors notified the Commission they plan to extend the coverage on the Exhaust Gas Temperature Sensors to 8 years or 80,000 miles for the Ford F550 owned by Fallon County.

The Commission was notified of an **Opencut Mining Permit** which had been applied for by Hufford Construction for the Johnson Pit. The Governing Body having jurisdiction over the area to be mined must certify that the proposed mine site and Plan of Operation comply with applicable Local zoning Regulations. This Compliance Permit was sent to the Planning Department for review and signed by Commissioner Randash as Chairman of the Fallon County Commission.

The Commission was notified the letter to **Nicole Benefiel**, Justice of Peace was written by the Clerk and Recorder, under Commissioner Instructions, **regarding additional salary as provided for in HB366**. Nicole was instructed to submit her letter in writing asking to receive the additional salary.

The Commission was notified by Dispatch, the **Billings Gazette** will no longer be delivering the paper, the paper will now only be received by mail.

The Commission agreed after receiving an email from Darcy Wassmann, County Attorney the **Trotter Contract** for Contract Planning has contradicting hours within the agreement. Per Commissioner's Baldwin and Randash the Contract **"F" and "1.02"; on page 2, should be changed so they match or 1.02 should be changed to state "as needed"**.

Letter from Jeraldine A. Newell, Clerk of District Court-Jeraldine submitted her letter asking for the additional salary due to HB366-"An act allowing a Clerk of District Court and Justice of the Peace to receive up to \$2,000 a year in addition to base salary; amending section 7-4-2503, MCA; and providing an effective date of July 1, 2015. The Commission granted permission or the Clerk of District Court to receive this additional pay.

4. Reviewed Department Reports & Newsletters

Fallon County Fair Board Minutes-April 20, 2015

Fallon County Fair Board Minutes-May 4, 2015

Fallon County Fair Board Minutes-May 18, 2015

Fallon County Fair Board Minutes-June 1, 2015

Treasurer's May, 2015 Investment Report

Baker Municipal Airport Commission (Approved) Minutes from May 13, 2015

Special Project Technician Report (June 11, 2015)

Baker Chamber Chatter-June, 2015 edition

5. Review County Revenues Received

Sands Oil-April, 2015 Oil and Gas Royalties-\$92.87

4th Quarter Entitlement Share Tax Repayment-\$135,178.59

6. Approve Budget Voucher for Library and Journal Voucher to move items from Public Health Nurse Budget to MCH Grant.

Budget Voucher #5-Move budget from #211 to #210 (\$1,000) and #214 to #220 (\$900.00). Approved by the Commission.

Journal Voucher #599-Move invoice from Public Health Nurse budget to MCH budget-\$260.00-Approved by the Commission

10:00 AM Bobby Wiedmer, Road Supervisor; **Alba Higgins**, Shop Foreman and **Tom Sparks**, Public Member

Sparks Bridge Easements-Tom Sparks was moved up the agenda so he was able to come in and leave the signed Easement Deed for Box Culvert, Temporary Construction Easement Deed and License to Enter and Perform Maintenance on Box Culvert for the Commission to sign. Darcy Wassmann, County Attorney had only a few minor changes to make on the documents once reviewed by the Sparks' and Deans'. Changed all the areas where a bridge was named to a "box culvert" and changed the easement portion for Sparks to name Southeast Electric and for Dean's they needed to name Mid-Rivers.

License to Enter and Perform Maintenance-Tom explained this is for maintenance and repair of the box culvert. Tom explained they limited the work area to 50' and changed from bridge to box culvert.

Fill Material-This will be discussed at the Preconstruction Meeting as well as the salvage material. Deans will sign it tomorrow and the Sparks will sign it today. Tom shared his concerns regarding bringing weeds from other areas, etc. regarding "fill material".

10:05 AM Tom Sparks left the meeting.

SHOP MAINTENANCE REPORT-Alba

1. **New Pickups**-They are rigging up the new pickups. Two (2) of the new pickups are finished; the Third (3rd) one is in the shop.
2. **930K Tool Carrier**-The forks will not be coming; they will use old one until the new one is built. They will deduct the price of the forks off the price of the tool carrier and when decision is made on the preferred forks they will pay at that time. Commissioner's agreed.
3. **New Trucks (I-State)**-It was agreed by the Commissioners to pay for the trucks from this year's budget (as this was when they were budgeted). The check will be cut and will remain in the Clerk and Recorder's vault until they are received and final inspections meet approval.
4. **Fairgrounds Mower**-Changed the shaft for the 3 point so it is now operational.
5. **Fuel Tanks**-Alba stated they will need to purchase one more fuel tank for one of the new pickups.
6. **Blade**-Discussed budgeting for the shop blade in FY16. The Commission granted permission to proceed with the blade to be purchased from next Fiscal Year, to include Accugrade. If it is decided they do not like Accugrade the other blades will be purchased the following bid process without it. Alba stated they would like to add one more spool block to the front of the blades because of the reversible plow. They would also like to purchase 16' mow boards rather than adding an extension to make a 14' mow board a 16' foot mow board.
7. **CAPITAL IMPROVEMENT PROJECT**-The Commission invited Bobby and Alba to come in and meet with Jason Rittal, Executive Director-EPEDC the next time he comes to review and update the County's 5 year Capital Improvement Project. Bobby and Alba agreed they would meet on July 1st at 10:00 AM.
8. **Ridge Mulchers**-The last one was able to be repaired by Baker Metal. The mulcher that was damaged last week was a complete loss. They will need to order a pair of new drums at \$5,000.00 each for the mulchers. Permission granted to do so. Discussed signing of roads when mulching. Bobby stated they do place "Road Work Ahead" signs any time they are doing road work.
9. **County Packer**-The City of Baker has the County's Packer for use, per the Interlocal Agreement signed by both Entities.

ROAD MAINTENANCE REPORT-Bobby

10. **Stop Sign**-Discussed placement of a stop sign by DeGrand's so people know there is a Highway coming up. Bobby stated the MT DOT place a sign by DeGrand's where the road connects to the 101 Road. Commissioner's Randash and Baldwin felt there needs to be another sign placed further back stating "Stop sign ahead" to alert the traffic there is an upcoming stop sign.
11. **Road Work**-Blades are running where there is moisture on the County Roads.
12. **Cargates**-The Road crew will be placing a new car gate (#26) on the Anticline Road today.
13. **Other**-The Road crew will also be working on culverts, hauling road material, mulching and building up Bridge Road.
14. **Becker Road**-Commissioner Baldwin stated Leonard Becker needs some material hauled on his road as well. Bobby confirmed that the Becker's gave an easement to the County for their road.
15. **Sweeper**-Road and Airport will cost share the Broom; Alba stated Roger Meggers, Airport Manager and himself were hoping this could come from this year's budget. Brenda stated as long as we get an invoice in time it can be paid and we will hold the check until the sweeper arrives.
16. **Culverts**-The culverts and extensions discussed earlier will be placed in miscellaneous areas in the County.

10:25 AM Shannon Hewson, Brosz Engineering joined.

10:25 AM Alba left the discussion.

Sparks Box Culvert-Shannon stated now the new person from the Army Corp of Engineers wants a wetlands site assessment completed on all the upcoming bridges. Shannon has asked the Corp what has

changed in their policy. The Corp told Shannon that was supposed to have been done all along. This will be another addition cost for the County, per bridge at \$4,000.00 each.

Commissioner Randash stated he would like Brosz Engineering to go to the Oil, Coal and Gas Meeting and explain how all of this is affecting the County's bridge projects (time and costs to the taxpayers). Shannon feels since Brosz is not from Montana it may be best if the Commission presents the information to their peers. Commissioner Baldwin offered to speak at the meeting. Shannon stated the initial application for the Sparks Bridge was turn in during the month of March, now a change order will have to be completed. Shannon explained the gentleman from the CORP asked Shannon to complete a resubmittal over the phone; now the Corp is saying the two reports are different and he wants a delineation and wetlands site assessment completed.

Commissioner Baldwin stated Tom Sparks would like to know where the dirt is coming from for this project. Shannon explained this was bid with the Contractor to provide the borrow dirt. Commissioner Baldwin explained Tom does not want any dirt that comes in to have weeds. If the Commission does this there will need to be a separate agreement with Sparks' and the County pertaining to the dirt.

Kramlick Box Culvert-This box culvert was approved by the Corp of Engineers and this is the same type box culvert as the Sparks'.

AWARDING OF BIDS-The Commission made the decision to Delay Awarding the Sparks/Kramlick Box Culvert due to the above issues. Shannon stated the County could award both with a change of date on the Sparks box culvert but would have to discuss this with Diamond J if it is done this way. The Commission agrees they would rather start the box culverts at the same time.

Bridge/Box Culverts-Completions-Shannon stated they may have to start making a decision on the bridges the County wants to complete, by September of the preceding year, so they can start getting permits, etc. in October and be ready by the following spring/summer to start and complete the bridges/box culverts.

Asbestos Testing Quote-Shannon received an asbestos testing quote from Ingraham Environmental for completion of 11 bridges-\$2,931.00. Commissioner Randash signed the contract for Ingraham to complete this.

11:00 AM Eric Kary, Golf Course Supervisor and **Julie Straub**, Human Resource

Seasonal Hours Discussion-Commissioner Randash asked if Eric was still agreeable to go to the Road Department during his off-season to help the Road Department. Eric stated he is willing to leave the maintenance of his equipment to help the Road Department. Commissioner Randash asked if Eric has had more maintenance to do. Eric stated he does not but he usually does not get it completed until spring of the next year. Eric stated not last year but the 2 prior years when he worked for the Road Department they did not need him to drive truck. They had him sweep, clean, etc. in the shop and the other year he was GPS'ing roads. Eric and his Board feel it is better use of his time to do his own work if he is working at the County Shop rather than driving truck.

Julie asked if Eric's Board would be making a request to have Eric stay at the Golf Course again this coming off season. Eric felt certain they would.

Commissioner Randash stated Eric's shop was in a lot better order the last time the Commission went to view his shop. Julie feels Eric's job description may need to be changed. The Commission stated Eric's Golf Course Board would need to make a formal request for Eric to remain at the Golf Course this fall/winter. Eric stated he would let them know at his board meeting tonight.

11:30 PM TIMBER CREEK MAJOR SUBDIVISION HEARING-Rollie and **Shirley Maier**, **Faron Henderson**, Engineer-FH Engineering; **Forrest Sanderson**, KIJ, Acting Contract Planner; **Ping** and **Shirley Askin**, adjoining landowners; **Mary Grube**, Planning Secretary; **Jay Askin**, adjoining Landowner; **via phone-Penny Askin**, adjoining Landowner

Findings of Facts-Delivered by Forest Sanderson-June 2, 2015-portions of the Findings of Fact are described below; complete Findings of Fact is filed in the Fallon County Planning Department or the Clerk and Recorder's office.

Applicants-Roland and Shirley Maier

Agent-Faron Henderson

Property Description-The property is located along the north side of Timber Creek Road in the S1/2SW1/4, Section 2, Township 7 North, Range 58 East, P.M.M., Fallon County, Montana. Timber Creek Road intersects with US Highway 12 approximately 6.5 miles west of the City of Baker or 4 road miles east of Plevna along US Highway 12.

Property Size-160 Acres Gross

Surrounding uses-The property is surrounded by fallow crop fields or pasture land agricultural uses. The applicants dwelling is located on a quarter section to the north of this development and there

are two rural residential homes that are presumed to be adjacent to belong to agricultural operations on surrounding properties.

There is a tank farm less than a mile west/northwest of the subject property with the following oil companies using it for various uses.

There is a large amount of truck traffic on Highway 12 & Tonquin Trail which then goes onto Division Road out to Highway 12 depending on what is going on during the different times of year.

Growth Policy-Discussed the proximity of existing infrastructure to the proposed Subdivision; located between two incorporated places (Baker and Plevna) and discussed the demand for housing both within the incorporated areas and the County.

Parts of the Subdivision Regulations Code are not adequately addressed but are determined to be addressed satisfactorily by the application or are not applicable to the development.

1. **Expansive Soils**-Application speaks to the possibility of expansive soils on the property.
2. **Additional Data**-More data will need to be generated and submitted to the County Sanitarian and MDEQ for review and approval of the plans to provide water and septic systems on each lot within the project.
3. **Floodplain provisions**-The area is not mapped by FEMA and is assumed to not be flood prone or have concerns related to flooding.
4. **Streets and Roads**-All of the lots within the subdivision front on the County Road "Timber Creek Road". Rural Fire has requested areas be provided to get their equipment off the road and provide safe areas for drive through access. This was addressed by stating the department may need to stage their equipment on the County Road or on the shared approaches to provide fire protection. Road Name Signs, rural address signs and standard traffic control signs, unless already existing shall be installed and are the responsibility of the developer prior to filing a final plat for the project.
5. **Water Supply Systems**-The proposal is that each lot would be served by an individual well for domestic water.
6. **Sewage Treatment Systems**-The developer is proposing individual septic tanks and drain fields for each of the lots within the subdivision. The Fallon County Sanitarian issued a letter expressing his concerns therefore the following condition should be imposed. The subdivision and the plans for sewage disposal shall be reviewed and approved by the Montana Department of Environmental Quality in accordance with the laws required. The Governing Body may not approve the final plat for this project until this requirement has been met.
7. **Disposition of Water Rights**-The water rights associated with the subdivided portion of the property are proposed to be severed from the parcels. The proposal meets with the requirements of the Fallon County Subdivision Regulations.
8. **Parkland Dedication**-All of the lots in the proposed Subdivision are greater than 5.0 acres in size, therefore parkland dedication is not required for this project.
9. **Fire Protection**-The application states that the applicant "may" comply with additional requirements of the Rural Fire Dept. Where the application was submitted without the signature of the Department Chief, the Governing Body not the Developer's Agent, should be the final arbiter of what is or is not required to address this component of the regulations
10. **Noxious Weeds**-The application addresses the lack of weeds on the property in the current state. This is not surprising as the parcel is located in CRP and the soils have remained undisturbed for years with very good cover. A weed management plan shall be prepared by the developer and approved by the Weed District prior to filing final plat.

All of the items listed below state the overall effect on each resulting from this project, subject to the imposition of conditions to address the identified impacts were INSIGNIFICANT.

1. **Effect on Agriculture**
2. **Effect on Agricultural Water User Facilities**
3. **Effect on Local Services**
4. **Effect on Historic or Natural Environment**
5. **Effect on Wildlife or Wildlife Habitat**
6. **Effect on the Public Health and Safety**

SUMMARY:

The project is in general compliance with the Fallon County Subdivision Regulations and subject to the Imposition of reasonable conditions could be approved by the Fallon County Commissioners.

The application site plan and related documents as modified by the report, address all of the items necessary for the County to complete a thorough review of the project and the probable impacts associated with the project. The staff opinion, all of the probably impacts have been addressed and can be mitigated by the imposition of conditions.

THE COMMISSION MAY ADOPT THE PLANNING BOARD RECOMMENDATIONS “TIMBER CREEK ACRES FINDINGS OF FACT AND PROPOSED CONDITIONS” AS FINDINGS OF FACT.

THE COMMISSION MAY APPROVE TIMBER CREEK ACRES a proposed 8 lot Major Subdivision of 40.08 acres located in the S2SW4, Section 2, Township 7 North, Range 58 East, PMM. Fallon County Montana, subject to the following conditions:

1. That the final plat be in accordance with the plat, plans and specifications submitted for preliminary review except as modified by these conditions.
2. That the plans for the provision of water and sewer to the subdivision be reviewed and approved or exempted from by MDEQ.
3. That the developer may bond for improvements required by this approval in accordance with the Fallon County, City of Baker and Town of Plevna Subdivision Regulations.
4. Road Name Signs, rural address signs and standard traffic control signs, unless already existing shall be installed and are the responsibility of the developer prior to filing a final plat for the project.
5. A weed management plan shall be prepared by the developer and approved by the Weed District prior to filing final plat. The weed plan should be incorporated into the CC&R's for the property.
6. The property is located in Flood Zone D “areas of possible but undetermined flood hazards”. As such, the proposed Covenants shall be amended to reflect the unknown nature of the flood hazard. In addition the following items will be included to mitigate concerns with flooding: building on the highest portion of the lot, elevating the structure above ground level on the foundation, basements are not recommended and creating positive drainage away from the structure.
7. Owners of the lots need to be notified they are purchasing property in an active agricultural area and that in doing so they have been deemed to have waived their right to object to or infringe upon normal and customary agricultural operations in the loosest definition of the terms “normal and customary”.
8. In addition to the acknowledgment of agricultural operations, owners need to be made aware that they have a duty to prevent trespass onto surrounding agricultural lands by their family members, guests and pets within their respective ownership.
9. Defensible space a minimum of 30' in width shall be maintained around residential structures for each lot within this subdivision.
10. Where the property is less than 160 acres in size it must be addressed one of three ways.
 - a) It is a lot in the subdivision and the project must be reevaluated and advertised as a 9 lot major subdivision.
 - b) It is deemed an Agricultural Tract and an agricultural covenant with appropriate prohibitions on development are imposed that require review as a major subdivision and approval of the County Commissioners is required to lift the Agricultural restrictions;
 - c) The remaining 120 acres is aggregated by deed or survey into adjoining ownership(s) such that a tract(s) greater than 160 acres is created.
11. That this approval is valid for three years from the date of approval by the County Commissioners.

PUBLIC COMMENT

Commissioner Randash opened the Public Hearing for Public Comment

Ping Askin-Ping stated he is strongly opposed to this Subdivision due to the noise, etc. That is why they moved from Las Vegas, NV was to get away from all of that. Also discussed the fire hazards and the fact their Son and Wife were never notified of any of the public meetings.

Jay Askin submitted a written statement for the Record and stated they strongly oppose as well.

Statement states:

To Fallon County Commissioners, Planning Board and all concerned parties;

We, Jay L. Askin and Penny D. Askin, hereby request proper notification of said zoning changes, and or subdivision proposal including Timber Creek Acres and future proposals in our rural community.

As we have not been properly notified, we would appreciate adequate time to review the proposals in order to assess and offer an informed and intelligent decision.

At this time we strongly oppose the subdivision/zoning change. Jay will be present at the 11:30 AM Board Meeting on 15 June 2015.

Thank you for your consideration
s/Jay L. Askin and s/Penny D. Askin

Commissioner Randash asked where the tank farm was located from the proposed subdivision. The tank farm is northwest of the proposed Subdivision.

Penny-Penny stated she did not have the minutes from the June 1st meeting. They have only had two days to make an informed and intelligent decision and be good neighbors. Penny explained they were not on the list of adjoining property owners.

Mary-Mary stated they sent certified letters to the people on the list but Jay and Penney Askin were not on the list the Planning Department received from the applicant because the Askin's had just purchased the property in October.

Forrest-Forrest explained there is no guidance for the Applicants as to when the lists are updated. Forrest made a recommendation the applicants update their list 30 days prior to the Public Hearing.

Forrest stated the Commission can make the Applicant start over or they can listen to the remainder of the comments and add additional conditions. Commissioner Randash asked for advice from Forrest. Forrest stated he would like the Public Hearing to close before passing judgment. Commissioner Baldwin stated he would like to wait before making a decision.

Penny-Penney stated they would like to make an informed decision they are not (Could not hear Penney). Jay spoke because of phone difficulties. Jay stated they would like to have the opportunity to review the paperwork.

Ping-Ping stated it has remained agricultural for all these years. Ping and Gloria stated they do not know what type of tenants this will bring.

Penny-Penney discussed the remainder parcel (120 acre parcel). Penney would like a change so they have their rebuttal on the June 1st meeting.

Penney asked if they would be able to resubdivide that 120 acre parcel and put up Town Homes. Penney also wanted to know why they set up the lots in just over 5.0 acre parcels when the other subdivision had 10 acre parcels.

Faron-Faron explained it is just a preference that is made by the applicant; these are set up as 5.01 acre single family residential lots. **Penny**-If the applicant wants to develop the other 120 acres, the applicant would have to go through this again. Forrest reiterated, yes they would have to go through the entire process from start to finish again. This Subdivision consists of 160.08 acres.

Sewer and water issues were discussed. The sewer is designed by a Professional Engineer, the Sanitarian and the DEQ. This Subdivision is proposed to have drain fields, just as your Subdivision is right now.

Ping-Ping asked if they would have drain fields and stated their drain field daylight on their property and it was that way before they ever moved there. Faron stated he did not want to hear that as you are not able to surface anything anymore. Ping again stated it was like that when they moved there. Faron further explained 120 acres will be aggregated back and there will be 8 water wells drilled.

Gloria-Gloria discussed the water pressure they may lose at their properties. Faron stated the past water well logs state they will have adequate water to serve the lots in the Subdivision.

Askin's-The Askin's asked why this Subdivision was located on Timber Creek Road rather than Tonquin Trail. Rollie expressed it was due to the location. The Askins asked if it was because they did not want them close to their property. Maier's stated no.

Commissioner's Baldwin and Randash agree the Landowners should be able to view the documents to date. Commissioner Baldwin stated he is not ready to make a decision right now.

Penny-Penney had another question-Again asked if there was a reason they were divided into 5 acre lots rather than 10 acre lots. Faron stated there is more call for 5 acre lots verses 10 acre lots. Faron stated they looked at Market-ability and Sale-ability of the lots. Penney stated they would like the minutes from June 1st meeting emailed and today's minutes as well. Mary stated she had emailed the June 1st minutes to the Askin's and Jay stated he also has the copy of those minutes in hand.

11:58 AM-PUBLIC HEARING CLOSED

Forrest-Questioned Penney on how much time they felt would be reasonable to respond back to the Commission. Penny stated they just got in touch with MDEQ; MDEQ stated they had just received the

information and have 55 days to review the information; Penney feels they would like that same amount of time.

Forrest stated Local Review only allows 65 days and the APPLICATION was turned in by Faron April 8, 2015. Forrest explained the Local Reviews will run out of time on the 8th of July in order to give both Parties "Due Process". This means the Commission has until July 8th to have a decision made.

Penny deferred to the law that states the time starts when all involved are notified.

Faron suggested going back to the Planning Board at Public Hearing on July 6th as long as there is time to get the Public Hearing noticed. Then before or by July 8th it would go back to the Commission with a decision being made. Forrest stated all the reports are in order so this would be the best way to proceed.

Penney and Jay would like a copy to review. Mary explained they have another copy in their office.

Penny stated she wanted to mention Mary was very nice to deal with and was very informative.

MOTION

Commissioner Baldwin made the motion to send the Timber Creek Acres Subdivision back to the Planning Board for a July 6th Public Hearing for reconsideration. **Commissioner Randash** stepped down from the Chair to second the motion. 2 Ayes. 1 Absent. Motion Carried.

Forrest explained if the Askin's are unable to attend they can make written comment for the July 6th meeting. The Askin's thanked everyone and left the hearing. 12:18 PM.

Forrest will come back for the 6th Planning Board Hearing, spend the night and attend the Public Hearing with the Commissioner's on the 7th.

12:20 PM RECESS

Commissioner Baldwin made the motion to recess. **Commissioner Randash** stepped down from the Chair to second the motion. 2 Ayes. 1 Absent. Motion Carried.

Noon Recess

1:00 PM RECONVENE

PRESENT Marilyn Mischel, Action for Eastern Montana-Area I Agency on Aging

Preliminary Budget for Aging Program-Marilyn reviewed the Preliminary Budget Contracts for the Council on Aging Programs. The Federal Government is preliminarily providing Fallon County with \$38,530 and the County's portion will then be \$7,028.00. As soon as the final figures come in the Commission will have to sign the Final Budget Contracts.

Commissioner Randash signed, as Chairman, the Montana Older Americans Act Programs Contract from the Area I Agency on Aging Contract Number 2016-001-05Chairman. 1 Original will be kept by Fallon County, 1 Original to Carla Brown, COA Director and 1 Original to Area I Agency.

1:20 PM Marilyn left the meeting.

1:45 – 2:00 PM –PUBLIC COMMENT

No one appeared for Public Comment

2:00 – 4:00 PM JUNE MID-MONTH CLAIMS APPROVALS

The Commission reviewed and approved the following June, 2015 Mid-Month Claims in the amount of \$404,994.38 and they filed in the Clerk and Recorder's office.

4:00 -4:15 PM BOARD MEMBER APPOINTMENTS/REAPPOINTMENTS/RESIGNATIONS

Also Present-Mary Grube, Planning Secretary

Airport Commission-Member at Large-Roger Meggers (County Appointee)-3 year Term

Baker TV Board-Chuck Lee-3 year Term

Cemetery Board-Jon Stevenson-3 Year Term

Council on Aging-LaVerne Schell and Alice Kay Schweigert-3 Year Terms; Accepted Resignation from Esther Wetzler; leaves 1 open position

Lake Advisory Board-Accepted Resignation from Donald E. Wood, Jr.; leaves 3 open positions. Added Richard Menger as Ex-Officio Member (Biologist)

Library Board-Accepted Resignation from Jan Townsend; leaves 1 open position

Mental Health Board-Sandra Kinsey (County Representative)-Annual appointment

Museum Board-Curt Williams—3 year term; 1 open position

Planning Board-Andy Hepperle, Roy Rost (LBSCD Representative), Michele Gray and J.K. Kinsey-2 Year Terms; Accepted resignation from Mary Lee Dietz

Tax Appeal Board-Tammy O'Donnell-3 Year Term; 1 Open Position

Weed Board-Dana Buerkle and Steve Gonsioroski-3 Year Terms

4:15 PM Scott Rabbitt, Park Supervisor-

Veteran's Memorial-Commissioner Baldwin stated the lights on the North side of the memorial are broke out as well as the granite is cracked. Not sure if this is happening during mowing or how this keeps happening. Scott stated he just repaired the lights last week. Steve stated they should also sweep the grass off the memorial after mowing/weed eating. Scott stated they have a blower they can use as well. Scott will get the lights repaired and discuss with his crew.

Scoria at the Softball Complex-Scott would like to schedule with Bobby Wiedmer, Road Supervisor having a few loads of scoria dumped at the Softball Complex. Permission granted.

Sand at the Beach-Will need 75 tons of sand for the beach at a cost off at \$2,115. and includes shipping from Glendive, MT. Permission Granted. Scott was also going to rework the volley ball courts as the gumbo keeps surfacing to the top. Scott would like to wait to do that until he removes the railroad ties and installs a curb system.

Tables-The Sons of American Legion would like to borrow picnic tables for the Fishing Derby at South Sandstone. Commissioner Baldwin stated to make sure they do not come back damaged. Scott stated they do not because the Parks crew delivers and returns them to the Gazebo. They will need to return the tables in time for the scheduled picnic at the Gazebo on the 28th. Permission granted as long as they are returned by the time the Changed for Life Picnic is scheduled on the 28th at the Gazebo.

Tent-The Sons of American Legion/Sorority would like to borrow the tent this Friday the 19th for the Donna Thibault Benefit. Permission Granted.

Softball Complex-Would like permission to pour cement pads to place the bleachers on; 6 bleachers-\$7683.00 per backstop x 3 for all of the backstops. The bleachers sink and tip/safety issue. Could do 1 this year and the rest next year or vice/versa. Permission granted to complete.

Tractor-The 3280 polar track sent to the Hospital is not working for the Hospital because it will not lift the broom. They don't make a smaller broom for this model. Scott has a quote for a 7210 polar track from Midland Implement-\$41,000.00. Commissioner Baldwin asked the age of the 3280. Scott stated it is 8 years old and could be traded but usually they send those items to the Fairgrounds. No Decision.

Riverock-Quote of \$5,940.00 delivered to Iron Horse Park-Permission granted to purchase from this Fiscal Year if they can get the invoice in time.

Large Landscape Rocks-\$9,000 delivered (For the Entrance) and that is the last of it. Permission granted to purchase from this Fiscal Year as long as the rock is placed right away.

4:45 PM Scott left the meeting.

4:45 PM Faron Henderson, Contract Planner and **Mary Grube**, Planning Secretary

Arnold/Alberts Subdivision Plat-Faron stated the final plat application is complete. All those required to review have completed final review and have signed off with the exception of the County Sanitarian; however, MT DEQ has approved of the Sanitary on this plat. Faron stated the road into the Subdivision is a Driveway not a Road which is the way it is stated on the Plat. Faron recommends approval.

MOTION

Commissioner Baldwin made the motion to approve the Arnold/Alberts Final Plat as submitted based on the fact the Sanitarian will have to sign off on the plat. **Commissioner Randash** stepped down from the Chair to second the motion. 2 Ayes. 1 Absent. Motion Carried.

Faron stated the signature from Richard Menger, Sanitarian will be obtained when he returns. The plat cannot be recorded until all the signatures are on the plat. Commissioner Randash signed all copies.

Jockey Hollow Subdivision Plat-Faron stated the final plat application is complete. This is a 5 lot Subdivision. Faron stated there is a Construction Lien on the property which will be satisfied once the land is sold. Commissioner Randash asked about the cul-de-sac. Faron stated it has been built and all conditions have been met.

MOTION

Commissioner Baldwin made the motion to approve the Jockey Hollow Subdivision Plat as submitted based on the fact the Sanitarian will have to sign off on the plat. **Commissioner Randash** stepped down from the Chair to second the motion. 2 Ayes. 1 Absent. Motion Carried.

5:05 PM Faron and Mary left the meeting.

5:10 PM Debbie Wyrick, Deputy Clerk and Recorder asked for permission to have FALLON COUNTY embroidered on 2 of the emergency kits, received from Chuck Lee, DES for the County Fleet Vehicles at \$10.00 Each or total of \$20.00. The Commission granted permission.

RECESS

Thursday, June 18, 2015

10:00 AM RECONVENE

PRESENT William L. Randash, Chairman and **Steve Baldwin**, Member. **Deb Ranum**, Member excused to be out of state.

10:30 AM-12:00 PM BAKER CORRIDOR STUDY CONFERENCE CALL-Located in the Fallon County Commissioner's office.

The Agenda for June 18, 2015 the items reviewed during the Conference Call and the May 12, 2015 Corridor Study Meeting Minutes can be reviewed in the Fallon County Commissioner's Office.

ADJOURN
s/William L. Randash, Chairman

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