

9:00AM CONVENE

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

GUEST: Dave Havens, Member of the Public

FALLON COUNTY COURTHOUSE

9am- Stacey Moore, Librarian, joined the meeting.

Stacey Moore told the Commission Darold Brown would like to wait to until spring to paint the ceiling in the library and the Commission said that was ok.

9:00AM COMMISSION WORK SESSION

RESOLUTIONS-

The Commission drafted and signed Resolution #2016-2 to set Per Diem and Travel Rates for Fallon County Elected Officials and Employees.

RESOLUTION #2016-2

RESOLUTION TO SET PER DIEM AND TRAVEL RATES FOR FALLON COUNTY ELECTED OFFICIALS AND EMPLOYEES

WHEREAS; Fallon County elected officials and employees are authorized by law to be reimbursed meal and lodging expense on necessary travel in connection with the duties of their respective offices, conventions, etc.; and

WHEREAS; Resolution 10-06-2003 has been rescinded and Resolution 2016-2 becomes effective January 1, 2016.

NOW THEREFORE, IT IS HEREBY RESOLVED THAT Fallon County elected officials and employees are henceforth to be reimbursed in the following manner:

LODGING- Actual expense up to \$89.00 per night, *original receipt required*. If no receipt is submitted with the Travel Expense Voucher OR you stay with family, friends, etc., you will receive \$12.00 per night (MCA 2-18-501). If attending a conference and the motel rate at the conference site is higher than \$89.00, you can request actual cost reimbursement. For actual cost reimbursement, you must *get* Commission approval prior to attending. This will not be considered a common occurrence, but rather an exception to the rule.

MEALS- Meals will be paid out at State rate (MCA 2-18-501), *no receipt required*. The reimbursed amounts are as listed, if you go over the amount, it will be at your own expense. To get reimbursed for meals, you must be in travel status for three hours or more.

Morning Meal- \$5.00, travel between the hours of 12:01am and 10:00am, you can charge for this meal, OR if you are away from home the previous day (MCA 2-18-502).

Midday Meal- \$6.00, travel between the hours of 10:01am and 3:00pm, you can charge for this meal (MCA 2-18-502).

Evening Meal- \$12.00, travel between the hours of 3:01pm and 12:00 midnight, you can charge for this meal (MCA 2-18-502).

MILEAGE- Mileage will be reimbursed at the current rate of .54 cents per mile for the first 1000 miles in a month and at the current rate of .51 cents per mile for miles exceeding 1000 miles in the same month. (MCA 2-18-503). These figures can change annually at the first of the year.

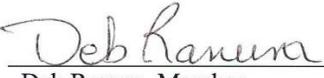
USE OF COUNTY VEHICLE- Commuting from home to work or from work to home in a County vehicle falls under the Commuting Rule. (IRS Publication 15-B) This is considered a benefit and is taxable to the employee. A travel expense voucher is required to be completed and submitted with your monthly time sheet. A \$3.00 per day charge will be added to your paycheck and W-2 at the end of the year. There is no exchange of money involved. Personal use of a County vehicle is prohibited per standards of conduct (MCA 2-2-121).

Dated this 11th day of January 11th, 2016.

FALLON COUNTY COMMISSIONERS
FALLON COUNTY, MONTANA

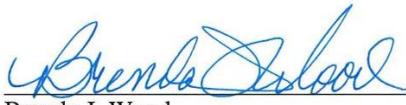

Steve Baldwin, Chairman




Deb Ranum, Member


William L. Randash, Member

ATTEST:


Brenda J. Wood,
Clerk and Recorder

The Commission drafted and signed Resolution #2016-3 to set the Daily Incarceration Rate.

RESOLUTION #2016-3

DAILY INCARCERATION RATE

WHEREAS, section 46-18-403, MCA, states that “the daily rate for incarceration must be established annually by the Board of County Commissioners by resolution”; and

WHEREAS, the daily rate must be equal to the actual cost incurred by the detention facility; and

WHEREAS, it has been determined that the actual costs incurred by the detention facility on an average daily basis are **\$275.00**,

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Fallon County that the daily rate for confinement costs, other than for actual medical costs, as ordered by the court and paid in advance of confinement and prior to the payment of any fine, is hereby **\$75.00** per day; and

BE IT FURTHER RESOLVED, if a judgment is for a fine and imprisonment until the fine is paid, the detainee shall be allowed a credit of **\$75.00** for each day of incarceration; and

BE IT FURTHER RESOLVED, that an inmate is responsible for the actual costs of medication, medical services, or hospitalization while detained in a detention center, based upon the individual’s ability to pay and/or private provider health care coverage, or a bonafide and responsible third-party payor; and

BE IT FURTHER RESOLVED, that the County Attorney shall initiate proceedings to collect from the inmate any charges arising from the medical services or hospitalization in accordance with section 7-32-2245, MCA.

Adopted this 11th day of January, 2016.



ATTEST:


Brenda J. Wood, Clerk and Recorder

**FALLON COUNTY COMMISSIONERS
FALLON COUNTY**


Steve Baldwin, Chairman


Deb Ranum, Member


William L. Randash, Member

APPROVED AS TO FORM AND CONTENT:


Trent Harbaugh, Sheriff/Jail Admin.

BOARD APPOINTMENT-

The Commission received a letter of interest from Wayne Sander to serve on the Lake Advisory Board.

Commissioner Randash made the motion to appoint Wayne Sander to the Lake Advisory Board effective January 11th, 2016 for a term that will expire July 1, 2018. Commissioner Ranum seconded the motion. 3 Ayes. 0 Nays. The motion carried unanimously.

9:05am- Lisa Mitchell, Ambulance Director, joined the meeting.

AMBULANCE CLAIM-

The Commission received a letter from a member of the public asking if the Ambulance Department has a low income assistance program like Fallon Medical Complex does since he is low-income and his Veteran's Administration (VA) Insurance won't cover his ambulance claim. Lisa Mitchell said the VA won't cover the claim because they say the individual had Medicare coverage but he did not have Medicare coverage at the time he used the Ambulance Service. The Commission asked Lisa to contact Fallon Medical Complex to have them resubmit the claim to the VA indicating the individual did not have Medicare coverage at the time of the claim.

9:15am- Lisa Mitchell left the meeting.

MISCELLANEOUS-

Rich Menger, Sanitarian, gave the Commission a monthly progress report from DOWL Engineering for the Baker Lake Mitigation Project.

BOARD AGENDAS/MINUTES-

The Commission reviewed Board Agendas and Minutes.

REVENUES-

The Commission reviewed revenues received during the week.

DEPARTMENT REPORTS/NOTICES-

The Commission reviewed Department Reports, Newsletters and Notices.

EMAILS-

The Commission reviewed emails sent to them from State agencies and other entities that required no discussion, action or decision.

9:45AM 4-H PROGRAM ASSISTANT HIRING APPROVAL

Present: Elin Kittelmann, County Agent; Julie Straub, Human Resource Manager

Elin Kittelmann and Julie Straub told the Commission they interviewed two candidates for the 4-H Program Assistant position. Elin and Julie said they would like to hire one of the candidates, Kodie Olsen, for the position. The Commission signed the New Hire Approval Form for Kodie Olsen to be hired as the 4-H Program Assistant.

9:50am- Elin Kittelmann and Julie Straub left the meeting.

10:00AM ROAD DEPARTMENT UPDATES

Present: Alba Higgins, Shop Foreman; Bobby Wiedmer, Road Supervisor; Shannon Hewson, Brosz Engineering

Shop Updates- Alba Higgins gave the Commission updates on the vehicles and equipment that are being serviced or repaired this week.

Road Updates- Bobby Wiedmer said the Anticline Rd. is completely graveled and gave the Commission updates on the Road Crew activity this week.

Leased Tractor- Bobby told the Commission the tractor lease for the Schulte mower increased from \$1300 to \$9500 per season. Bobby said they lease this tractor every year for mowing the road ditches in the fall. Bobby said over a ten year period the County could buy a new tractor with the money they would have to pay each year to lease it. The Commission asked if the tractor would last at least ten years and Bobby said yes and probably longer. Bobby said he has been researching the prices of tractors and suggested purchasing a 140 horse McCormick tractor for \$95,000 if the Commission decided to go that route. The Commission asked Bobby to find out what the lead time is for getting the McCormick tractor and he said he will.

Dry Fork/Westmore Bridge- Shannon Hewson gave the Commission a list of adjacent landowners to the Dry Fork and Westmore Bridges for them to review. Shannon said he will send letters out to these landowners inviting them to meet with the Commission and him regarding the bridge replacements.

Westmore Bridge- Shannon gave the Commission the Permit 124 approval letter from Mat Rugg with Montana Fish, Wildlife and Parks for the Westmore Bridge Project. The Commission received the Permit 318 approval letter from Montana Department of Environmental Quality for the Westmore Bridge and gave Shannon a copy.

Calumet Rd Bridge- Shannon said the culvert bid opening for this bridge is scheduled for January 19, 2016 at 10:30am. Shannon said he is going to wait to put the construction of the culvert out to bid when all the permits have been received. The Commission received the Permit 318 approval letter from Montana Department of Environmental Quality for the Calumet Rd/ Bridge and gave Shannon a copy.

10:30am- Dave Havens left the meeting.

10:35am- Bobby Wiedmer and Shannon Hewson left the meeting.

11:00AM WBI 1ST MINOR SUBDIVISION PUBLIC MEETING

Present: Forrest Sanderson, Contracted Planner, via conference call

Forrest Sanderson, Contracted Planner, presented the Planning Board Recommendation #MNR-15-01 WBI Energy Transmission Inc. and gave a summary of the Recommendation: A Two (2) lot, non-residential, minor subdivision in the SE ¼ NE ¼ Section 19, Township 4 North, Range 62 East, Fallon County, Montana. The proposed lots are approximately 10 and 150 acres in size. This is the first minor subdivision from the parent tract of record. As such, the Planning Board may not hold a formal public hearing and parkland dedication is NOT required. The project is in general compliance with the Fallon County Subdivision Regulations and subject to the imposition of reasonable conditions that could be approved by the Fallon County Commissioners.

Forrest presented the Planning Board January 4th, 2016 Meeting Minutes in which the Board recommended the WBI First Minor Subdivision for approval to the Board of County Commissioners.

Forrest opened the meeting up for questions from the Commission. The Commission asked if the sale of Fidelity would affect this subdivision at all and Forest said no, if Fidelity sold, the subdivision would become an asset to the company who bought it.

Commissioner Ranum made the motion to approve the Planning Board Recommendation #MNR-15-01 WBI Energy Transmission Inc. including the findings of fact. Commissioner Randash seconded the motion. 3 Ayes. 0 Nays. The motion carried unanimously.

11:35am- Forrest Sanderson ended the conference call and thereby left the meeting.

11:45AM PUBLIC COMMENT

No one appeared for public comment.

12:00PM NOON RECESS

Commissioner Ranum made the motion to take a noon recess. Commissioner Randash seconded the motion. 3 Ayes. 0 Nays. The motion carried unanimously.

1:15PM RECONVENE

Present: Steve Baldwin, Chairman; Deb Ranum, William L. Randash, Members; Lani DeBuhr, Clerk

1:15PM PARKS UPDATES

Present: Scott Rabbitt, Parks Director; Rich Menger, Sanitarian

Parks Updates- Scott Rabbitt gave the Commission updates on what he has been working on in the Parks Department. Scott said he hasn't began to do maintenance on his equipment yet since the weather has been nice to continue working outside. Scott said he plans to start on it now that the weather is getting cold and snowy.

Bonfires on Lake- Scott Rabbit said people are burning piles of pallets on the lake and leaving the debris behind. The Commission and Rich Menger said they are concerned about

contaminating the lake with the bonfire debris. Scott suggested putting a notice in the newspaper to let people know bonfires are not allowed on the lake. Rich suggested notifying the Sheriff that fires are prohibited so they can start enforcing it. The Commission will contact the newspaper to put a notice in the paper and asked Rich and Scott to talk to the Sheriff about it.

Iron Horse Park- Scott said the Royal Rangers from a local church would like to use Iron Horse Park on January 23rd from 10am-2pm for a survival clinic they will be doing. Scott said they will have a contained fire in a barrel for the clinic. The Commission gave them approval to do this and asked Scott to notify the City about it too.

Iron Horse Park Security Cameras- Scott gave the Commission a quote from Kenco Security Systems for the camera system he would like installed at Iron Horse Park. Scott said he tried to contact Dakota Securities to get a quote also but never heard back from them. The quote was for \$19,584.03 for a ten camera system.

Mid-Rivers Internet Service- Scott said he is having a problem with downloading large files from various contractors and engineers since his internet service is outdated. Andy Fujimori, IT Tech, suggested upgrading his internet speed at a cost of \$2 more per month and the Commission gave their approval.

Sidewalk Lighting- Scott gave the Commission quotes for the lighting around Baker Lake and in Iron Horse Park and the design of where the lighting will go. Scott said he budgeted \$160,000 for the lighting but the total cost to install all the lighting is approximately \$130,000. The Commission asked Scott to talk to the landowners along the walking path to ensure they don't object to the lighting being installed and Scott said he would. Scott said the lights are 14 feet, LED and the wiring for the cameras will be located along the road to avoid being under the beach area. The Commission gave their approval for Scott to purchase the lights.

Restrooms at Iron Horse Park- The Commission and Scott discussed moving the Iron Horse Park restroom to the beach area of Triangle Park or by the Skate Park. Scott said if the bathroom was moved to the beach area water and sewer would have to be run to it. The Commission said the public has voiced concern on wanting a bathroom closer to the beach area so they don't have to walk to the gazebo to use that bathroom. Scott said if the bathroom was moved by the Skate Park or another bathroom was built there the water and sewer are already stubbed in. Scott said he doesn't need a decision on it but would like the Commission to consider it. The Commission said they will discuss it and go look at where the bathroom may go.

2:00pm- Scott Rabbitt left the meeting.

2:00PM PROPERTY INSURANCE DISCUSSION

Present: Jade Boggs, D&J Insurance; Debbie Wyrick, Deputy Clerk and Recorder

Jade Boggs told the Commission Montana Association of Counties (MACo.) contacted him to ask if they could review the County's property and casualty insurance policy in order to submit a bid for it. Debbie said if MACo is allowed to submit a bid then they should open it up to all other insurance companies to make it fair. The Commission said they feel it is their duty to be good stewards of tax payer money and try to get the best deal they can but right now is not a good time to switch insurance companies due to still being in the middle of the hail claim with EMC. Debbie and Jade agreed. Jade says he approaches EMC every year with the MACO rates to ensure EMC is giving the County competitive and good rates which they do every year. The Commission said they do not want to open up their insurance for bids at this time.

2:20pm- Jade Boggs and Debbie Wyrick left the meeting.

2:30pm- RIFLE RANGE SIDEWALK/DRIVEWAY PROJECT

Present: DuWayne Bohle, Special Project Worker

DuWayne Bohle and the Commission reviewed the Rifle Range Sidewalk/Driveway Project quotes. DuWayne asked if the sidewalk from the outdoor bathroom to the Indoor Shooting Complex sidewalk is included in the plans as it is not reflected in the drawings. The Commission said it is not but they will ask the contractors to submit a separate bid for that portion of the sidewalk that will not be included in this project. DuWayne suggested they consider having sidewalk put in from the sidewalk to the road also. DuWayne told the Commission he wanted them to be aware the sidewalk on the south side of the Indoor Shooting Complex drains to the building all the way down.

2:50pm- DuWayne Bohle left the meeting.

3:00pm- Rich Menger, Sanitarian, joined the meeting.

Baker Lake Updates- Rich Menger gave the Commission information on the material being removed from the Afrank property in 2005. Rich said this shows the material the EPA is referencing was removed, not added. Rich said he passed this information onto Tom Parker with Geum Consulting to put in the report to the EPA and the report is being formally submitted to EPA

this week. Rich said a cost analysis will be completed for the deepening of the lake next week. Rich suggested the flood control of Lake be monitored jointly with the County and City.

3:15pm- Rich Menger left the meeting.

3:20pm- Mike Kindzerski, Project Manager with MK Weeden Construction Inc., joined the meeting.

Mike Kindzerski asked the Commission to review and sign the Zoning Compliance for the gravel pit on Wenz's property. Mike said he needs them to sign it to confirm there isn't any zoning restrictions in that area. Commissioner Ranum signed the Zoning Compliance form.

3:30pm- Mike Kindzerski left the meeting.

3:50pm- Larry Neimerg joined the meeting.

Larry Neimerg came in to talk to the Commission about the Rifle Range Sidewalk/Driveway Project per their request. The Commission told Larry the quotes from the three contractors were very different due to one contractor including base fill on their quote, Larry excluding base fill on his quote and the other contractor not specifying if the base fill was included or not. After much discussion the Commission decided to ask the contractor who included the base fill to remove it from his quote and will make sure the other contractor doesn't have it included in their quote. The Commission said this will make it fair for all three contractors and then they can choose which one they will award it too.

The Commission asked Larry to submit a separate bid for the 41 feet of additional sidewalk that will need to be installed from the Indoor Shooting Range sidewalk to the outdoor bathroom. The Commission will have the other two contractors submit a bid for this as well.

4:15pm- Larry Neimerg left the meeting.

4:00PM COUNTY ATTORNEY UPDATES

Present: Darcy Wassman, County Attorney

Land Leases- Darcy Wassman finished the land leases and gave them to the Commission to sign and mail out.

County Development Advisor Position- Darcy said the Attorney General's office said they didn't see an issue hiring for this position as long as it doesn't take away any duties from the Commission or any other elected official. Darcy said the Attorney General suggested she contact MACo to get their opinion on it. Darcy said she placed a call to MACo and is waiting to hear back from them. The Commission asked Darcy to contact them immediately after she hears back from MACo.

Gravel Contract- Darcy asked the Commission for the gravel quote figures so she can finalize the contract and said she will have it ready next week.

Weed Board Resolution- Darcy gave the Commission the Weed Board Resolution draft to review. The Commission will review the resolution with Dale Butori, Weed Supervisor, before adopting it.

Health Board Resolution- The Commission asked Darcy to talk to Kim Cuppy, Health Nurse, about the current Health Board Resolution and determine if any changes need to be made to it.

Credit Card Policy Review- Darcy said she will review the Credit Card Policy and give her opinion on it next week.

Marsy's Law for Montana- The Commission and Darcy discussed the letter they received asking them to support the Ballot Initiative to establish a Crime Victims' Bill of Rights in the Montana Constitution. Darcy said the details of the initiative are very complex with the burden falling onto many shoulders that may have no control over what would be required of them in regards to protecting victims. Darcy said because of this she isn't comfortable with it being a constitutional right and the Commission agreed.

Carter/Fallon County- The Commission and Darcy discussed the amount of time she is spending on Carter County business versus Fallon County business. Darcy said the majority of her time is spent on Fallon County business and the Commission asked if she could give them updates on the cases and other items she works on periodically and Darcy said she will.

5:00pm- Darcy Wassman left the meeting.

5:00PM ADJOURN

Commissioner Randash made the motion to adjourn the meeting. Commissioner Ranum seconded the motion. 3 Ayes. 0 Nays. The motion carried unanimously.

ADJOURN
s/Steve Baldwin, Chairman

MINUTE TAKER:
s/Lani J. DeBuhr, Clerk

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