

MONDAY, MARCH 5, 2018

9:30 AM CONVENE

PRESENT: Steve Baldwin, Chairman; Roy Rost, Member; Kelsey Phillips, Recording Clerk/Secretary

ABSENT: Deb Ranum, Member

FALLON COUNTY COURTHOUSE

PUBLIC COMMENT – NON-AGENDA ITEMS

No one appeared for public comment.

9:42 AM Jason Rittal, County Development Advisor joined the meeting.

Updates- Pay-Application #5 from Western Municipal was approved and signed by Commission.

Commissioner Rost made the motion to accept the Pay Application #5 for Western Municipal for a net payment of \$1,174,664.75 and a gross payment of \$1,186,530.05. Commissioner Baldwin seconded the motion. Commissioner Baldwin asked for any further discussion; being none. 2 Ayes. 0 Nays. 1 Absent (Commissioner Ranum). The motion carried.

Lake Project –Shannon Hewson, Brosz Engineering, recommended allowing the additional two hours in the morning and two in the evening for the construction of Baker Lake, and to stay on the east end of the lake for the extended times. Commission and Jason both agree.

Commissioner Rost made the motion to extend the work hours for Baker Lake to include 5–7AM and 7-9PM on the east side of Baker Lake only, subject to change at the discretion of Commission.

Commissioner Baldwin seconded the motion. Commissioner Baldwin asked for any further discussion; being none. 2 Ayes. 0 Nays. 1 Absent (Commissioner Ranum). The motion carried.

Commission Agenda- Commissioner Baldwin and Jason will leave at noon on Monday of next week, and plan to be back Thursday. They will be attending the Legislative Committee Meetings in Helena, which will include the Revenue and Transportation Interim Committee.

Iron Horse Building- Commission gave approval to put the Notice of Request for proposal quotes into Fallon County Times.

9:55 AM Mark Sieler, Road Foreman joined the meeting.

Freedom of Information Act Request- Jason met with Darcy Wassmann, County Attorney, and has contacted the attorney that requested the information from the ACLU. The letter refers to any conversations or information regarding protests or protestors, which is a much narrower viewpoint than before; as it was believed that any information about the pipelines was to be included. Jason drafted a letter to send to the ACLU regarding the amount of time this will take and the estimated cost. Jason will work on this throughout the week and get back to Commission on Thursday.

Landfill Scale- Jason spoke with Tom Kachel, Manager of Landfill Operations, and is going to be working on specs for the landfill scale. He will get a draft for Commission to review in the next few weeks.

Parkview Sidewalk– The design work for Parkview sidewalks was completed by Stevenson Design. Jason sent it to Shannon and he will make sure nothing is redesigned. Jason would prefer a civil engineer to work on the project, rather than an architect.

Lake Advisory Board- The Lake Advisory Board has an opening for a board member. An application process will be need to be done if anyone is interested in the position.

10:13 AM Jason left the meeting.

Truck Repairs- Mark handed out a parts list on the Osh Kosh truck. The new parts have been ordered. Some of the old parts were kept for repairs that may be needed later on.

Road Maintenance- Discussed the bus routes. The Road Department has been working hard to keep the roads cleared.

10:15 AM Mark left the meeting.

11:00 AM MINUTES APPROVAL FOR WEEK OF FEBRUARY 26-MARCH 2, 2018

Commissioner Rost made the motion to approve the Commission Minutes for the week of February 26, 2018 with corrections. Commissioner Baldwin seconded the motion. Commissioner Baldwin asked for any other discussion; being none. 2 Ayes. 0 Nays. 1 Absent (Commissioner Ranum). The motion carried.

11:10 AM Larry Brence, Eastern Region Department Head of Extension entered the meeting via phone call due to the weather conditions. He discussed the Extension Annual Performance of the Fallon County Extension Agent.

11:16 AM Larry hung up the phone, therefore leaving the meeting.

11:19 AM Julie Straub, HRM joined the meeting.

Administrative Assistant Schedule- As employers of Fallon County, Julie recommends having flexible hours to help obtain younger employees. Maggie Bainter, Extension Administrative Assistant, would like to have a 32-hour work week schedule when she returns to work. She is able to maintain her insurance benefits. This would not be a permanent change, and the schedule is not set in stone. During the Fallon County Fair, she will work a 40-hour week to help with the busy time. Elin Kittelmann, Extension Agent, does not feel this change would hurt their department at all. This would help Fallon County maintain an employee with the hopes of retaining her long term. Elin is in full support of this request.

Commissioner Rost made the motion to approve the request for a reduction of hours for Maggie Bainter to 32 hours a week after she returns to work; until further notice. Commissioner Baldwin seconded the motion. Commissioner Baldwin asked for any other discussion; being none. 2 Ayes. 0 Nays. 1 Absent (Commissioner Ranum). The motion carried.

11:26 AM Julie left the meeting.

11:27 AM Commissioner Rost made the motion to take a noon recess. Commissioner Baldwin seconded the motion. Commissioner Baldwin asked for any other discussion; being none. 2 Ayes. 0 Nays. 1 Absent (Commissioner Ranum). The motion carried.

NOON RECESS

1:15 PM RECONVENE

PRESENT: Steve Baldwin, Chairman; Roy Rost, Member; Kelsey Phillips, Recording Clerk/Secretary

ABSENT: Deb Ranum, Member

FALLON COUNTY COURTHOUSE

PUBLIC COMMENT – NON-AGENDA ITEMS

No one appeared for public comment.

1:26 PM Eddie Coulter, Jeff Greenlee, Fair Board Members; Julie Straub, HRM; Shyla Hadley, Fairgrounds Manager joined the meeting.

Update on High School Rodeo Personnel-Shyla's plans have changed and she will now be available for the High School Finals Rodeo. Lani DeBuhr, former Fairgrounds Manager, will not need to replace Shyla for the event anymore; however; she will be attending, and will be working as a volunteer. Lani is more than willing to help out where she may be needed.

Extra Entertainment- The Fair Board would like to add an event to the High School Finals Rodeo on Saturday night. It would be a PRCA Match Bronc Riding Event. There are sponsors that want to help as well. The money left over from the Bulls, Broncs and Barrels budget can help cover this event. This hasn't been approved by the Fair Board yet, it is just an idea. They will still be within their budget. Commission agrees to take this to the Fair Board and keep them posted.

1:32 PM Trenton Harbaugh, Sheriff joined the meeting.

1:34 PM Shyla, Jeff and Eddie left the meeting.

Hiring Approval- The Sheriff's Office completed the hiring process last week. Trenton would like to hire Bryan Overton for the Detention Officer position, as he feels he would be a good fit. Commission agrees with this decision as well.

Commissioner Rost made the motion to hire Bryan Overton for the Detention Officer Position. Commissioner Baldwin seconded the motion. Commissioner Baldwin asked for any further discussion; being none. 2 Ayes. 0 Nays. 1 Absent (Commissioner Ranum). The motion carried.

1:37 PM Trenton left the meeting.

Snow Day Policy- The roads are possibly going to be closed today, and most of the staff that lives out of town has gone home. Julie feels this could count as a snow day since they are closing roads due to weather conditions, and many staff members live out of town. If employees leave, they are required to use vacation hours. Julie advised the Commission that they have the authority to change the policy for them to be able to use sick leave instead of vacation. Commission can make the decision now and send a memo out to notify the employees of the change. Commission agrees that they should be able to use both sick leave and or vacation leave.

Commissioner Rost made the motion to send out a memo stating employees can use their sick leave or vacation when facing severe weather conditions. Commissioner Baldwin seconded the motion. Commissioner Baldwin asked for any further discussion; being none. 2 Ayes. 0 Nays. 1 Absent (Commissioner Ranum). The motion carried.

Suitable Space for Policy #1.13- Per Federal Law, there needs to be a room that allows privacy for nursing mothers in the Court House. Julie has spoken with Brenda Wood, Clerk and Recorder, and they believe the room in between the Human Resource office and the water fountain would be a suitable space. Commission viewed the room. Discussed different possibilities in the building. Commission likes the location next to the Human Resource office. They will talk with Brenda, as it is the current elections room, and will speak with a contractor to discuss further.

Panic Button Issue- There has been issues with the panic button/notification system in the Court House. There is no alarm, just a light on a monitor that is hard to see. Julie would like the Commission to formally notify the departments that have panic buttons about how they are working. Commission will check within the departments about their current panic button systems and see how they work and where they are located.

2:11 PM Julie left the meeting.

2:12 PM Jason Rittal, County Development Advisor joined the meeting.

Resolution 2018-14- There will need to be a public hearing on March 19th. After the public hearing, the resolution will be passed, barring there are no changes.

Commissioner Rost made the motion to adopt the Resolution of Intent – 2018-14 – Providing for the Sale and Disposition of County Real Property. Commissioner Baldwin seconded the motion. Commissioner Baldwin asked for any further discussion. Commissioner Rost asked if this will need to be done again before selling the actual property, and Jason explained no, that only one public hearing is needed. 2 Ayes. 0 Nays. 1 Absent (Commissioner Ranum). The motion carried. Resolution of Intent 2018-14 is filed in the Clerk and Recorder’s Office.

2:19 PM Jason left the meeting.

TIME SHEET REVIEW

Commissioners reviewed and approved February 2018 time sheets, payroll & withholdings in the amount of \$480,776.90 and they are filed in the Clerk and Recorder’s Office.

CLAIMS APPROVAL

The Commission reviewed and approved the End of the Month Claims in the amount of \$1,523,096.69 and they are filed in the Clerk and Recorder’s Office.

COMMISSION WORK SESSION

Commission reviewed Revenues, E-mails/Letters, Reports, Board Minutes and Agendas. They also signed a Certificate of Appreciation for Keli Bertsch, Deputy Clerk of Court, as she has dedicated five years of service to Fallon County. Thank you Keli, your hard work is appreciated.

4:57 PM Commissioner Rost made the motion to recess for the evening. Commissioner Baldwin seconded the motion. Commissioner Baldwin asked for any other discussion; being none. 2 Ayes. 0 Nays. 1 Absent (Commissioner Ranum). The motion carried.

EVENING RECESS

TUESDAY, MARCH 6, 2018

9:30 AM RECONVENE

PRESENT: Steve Baldwin, Chairman; Roy Rost, Deb Ranum, Members; Kelsey Phillips, Recording Secretary/Clerk
FALLON COUNTY COURTHOUSE

PUBLIC COMMENT – NON-AGENDA ITEMS

No one appeared for public comment.

9:44 AM Lynda Herbst, Custodial Supervisor joined the meeting.

Johnson Controls- Simplex Grinnell, the control company that the courthouse works with has been bought out by Johnson Controls. Lynda feels they are a knowledgeable group and is comfortable continuing to use them for services. Lynda will call Johnson Controls and visit with them to get more details before sending off the contract.

9:50 AM Brandon Heal, KLFN Radio joined the meeting.

Policy #1.13- The Commission informed Lynda that they are discussing which room will be most efficient for nursing mothers in the courthouse. There is a need of a designated space because of federal law. It will be a small project, and will need to be completed as soon as possible.

9:54 AM Wayne Sander, Billie Jo Griffith, North Baker Water Sewer District Members joined the meeting.

9:56 AM Lynda left the meeting.

9:56 AM Jason Rittal, County Development Advisor joined the meeting.

Water Discussion- The North Baker Water Sewer District has been making payments to the county for funding projects. There is nothing in writing, as it was a verbal agreement. They are requesting a written agreement, providing when and what was paid.

9:59 AM Bruce Moore, North Baker Water Sewer District Member joined the meeting.

Jason and Billie Jo's numbers do currently match up with what was being paid from the previous years. They will still be paying the same amount of money to the county each year. There is no end date for the payments that was agreed upon. Jason would like to speak with Eastern Plains, as this may be more of a conversation for them. There was a timeline for all other projects that were previously funded. This was only to benefit the North Baker Water Sewer District. Commission believes it will be more beneficial to manage this on their own, and not go through the county. The Commission will need to know about their decision by the time the fiscal year budgets are created.

10:14 AM Bruce, Jason, Wayne, and Billie Jo left the meeting.

10:19 AM Brandon left the meeting.

11:31 AM Commissioner Ranum made the motion to take a noon recess. Commissioner Rost seconded the motion. Commissioner Baldwin asked for any other discussion; being none. 3 Ayes. 0 Nays. The motion carried unanimously.

NOON RECESS

1:15 PM RECONVENE

PRESENT: Steve Baldwin, Chairman; Roy Rost, Deb Ranum, Members; Kelsey Phillips, Recording Clerk/Secretary
FALLON COUNTY COURTHOUSE

PUBLIC COMMENT – NON-AGENDA ITEMS

No one appeared for public comment.

1:27 PM Jason Rittal, County Development Advisor joined the meeting.

1:28 PM Terry Sukut, JGA joined the meeting via phone.

Sheriff's HVAC- Discussed the proposal on the HVAC system from JGA for the Sheriff's Department, including the initial stage and how that would translate into a bid package. This would require taking the building as it exists, and entering it into the computer modeling systems. This should help JGA to accurately measure the area the HVAC would need to cover. This would also create equipment selections

through the computer modeling system. The initial information from the onsite review and the study would give more detail on how this would come together and be in the form of a bid packet. Another discussion included where to place this unit, as they would like it to not be affected from the weather. Commissioner Baldwin explained the number on the proposal beforehand seemed a little high, but after learning the process of what it entails; he does understand these numbers. Discussed the scheduling for JGA to travel to Baker to view the Sheriff's office.

EMC and First Dakota– Jason submitted a fairly detailed letter to First Dakota about assessing liquidated damages from the Hail Damage Project. It is stated that the owner, Fallon County, is not responsible for quantities and details. No addendum was made; therefore, this agreement is currently in place. Jason is still waiting to hear from EMC about the issue. This should not affect Fallon County. It will be between the insurance company, EMC and the contractor, First Dakota. Jason will reach out to First Dakota to discuss further.

1:50 PM Terry ended the conversation, therefore leaving the meeting.

1:53 PM Jason left the meeting.

Commissioner Ranum made the motion to approve the Fallon County Sheriff's Office HVAC System Study in the amount of \$9,983.00 with JGA. Commissioner Rost seconded the motion. Commissioner Baldwin asked for any other discussion; being none. 3 Ayes. 0 Nays. The motion carried unanimously.

1:56 PM LaRita Huether, Lisa Rieger; Department of Revenue joined the meeting.

Office Operations- Discussed the changes that have been happening with the Department of Revenue throughout the State. Many offices are being shut down, and the departments that are staying open are now in charge of different counties. The Fallon County office will be in charge of Carter County as well. There is much confusion, as there hasn't been hardly any information given from the authorities of the Department of Revenue in Helena. Discussed how the Treasurer's Office and the Department of Revenue will have to work together to make up the difference. The Treasurer, Barb Ketterling, will have to pick up more of the Department of Revenue's duties. The Department of Revenue has no issues working with the Treasurer's Office, and they will continue to work together and move forward. Commission wanted to double check that all offices will be able to transition together with these changes, and will keep them informed if they learn anything else. Commission explained that they appreciate all the dedication LaRita and Lisa have for the county.

2:38 PM LaRita and Lisa left the meeting.

2:40 PM Commissioner Rost made the motion to recess for the evening. Commissioner Ranum seconded the motion. Commissioner Baldwin asked for any other discussion; being none. 3 Ayes. 0 Nays. The motion carried unanimously.

EVENING RECESS

WEDNESDAY, MARCH 7, 2018

9:30 AM RECONVENE

PRESENT: Steve Baldwin, Chairman; Deb Ranum, Roy Rost, Members; Kelsey Phillips, Recording Secretary/Clerk

FALLON COUNTY COURTHOUSE

PUBLIC COMMENT – NON-AGENDA ITEMS

No one appeared for public comment.

9:37 AM JoDee Pratt, City Mayor joined the meeting.

SMART Office- Commissioner Baldwin informed JoDee that Mona Madler's previous position as the SMART Office Director has been filled. They are excited about the new employee, and Mona is helping her learn the position.

Interlocal Agreement- The Interlocal Agreement that JoDee thought the city had with the county was only for a one-time agreement, while JoDee was under the impression that it was unlimited. Commission suggested that for a future agreement, they would prefer the operator and the equipment from the county to go together to limit liability. JoDee will have both the County and City Attorney's work on an Interlocal Agreement for the City of Baker to be able to borrow Fallon Counties equipment.

Veteran's Memorial- There is to be no water or sprinkler system around the Veteran's Memorial, as tiles around it are coming up. Jerad Singer has volunteered to repair the tiles.

TransCanada- The TransCanada board is meeting about the pipeline progress this week, therefore; there should be an answer soon as to when it will be coming through Baker. WBI and Denbury are coming to a finalization as well.

Summer Help- For the summer, the City of Baker usually hires six employees to help with the Parks. This will be the first year Robbie Christiaen's is an assistant for the parks, and JoDee would like to continue to hire six employees. They aren't sure they will need the usual number of summer employees, but would like to try it out for a year.

10:17 AM JoDee left the meeting.

10:20 AM Shannon Hewson, Brosz Engineering joined the meeting.

Baker Lake Updates- Discussed the extended hours of Baker Lake employees, and the Pay-Application #5 that has already been discussed amongst Commission. Western Municipal is on board with moving forward with the channels in the lake, as it won't mess with FEMA or the lake progression.

10:24 AM Jason Rittal, County Development Advisor joined the meeting.

Fish Habitats- Discussed the cement blocks that will be going into the lake for fish habitats. Shannon explained what type of concrete the blocks could potentially be made out of, as the goal is to have them there long term.

Lake Enhancements- Discussed the placement of the building at Iron Horse Park, as well as the parking. Shannon handed out a detailed cost estimate. The Lake Advisory Board has given ideas on what other enhancements could be made to the lake, and Shannon has included these ideas on the cost estimate.

Aquatic Plants- Discussed placing the aquatic plants around the lake that the EPA requires. Shannon is working on scheduling meetings with lake landowners to determine what types of plants they are wanting and not wanting on their land. Shannon will explain their options, and then determine further.

Public Meeting- Discussed what would be talked about at the meeting next Thursday night regarding Baker Lake, which is open to the public. The meeting is Thursday, March 15th at 7 PM in the Fallon County Courthouse Courtroom. This will be regarding the debris removal, dredging, and further enhancements.

Dewatering- The Pay Application from Smith Contracting was signed and given back to Shannon.

Parkview Complex- Discussed the concrete at the Parkview Complex, deciding what to do and the different types of concrete that can be used.

11:23 AM Jason left the meeting.

11:34 AM Shannon left the meeting.

Window Replacement -

11:37 AM Commissioner Ranum made the motion to move forward with the Fallon County Courthouse and Library Window Replacement Project for a fee of \$27,439.00 with JGA Architects. Commissioner Rost seconded the motion. Commissioner Baldwin asked for any other discussion; being none. 3 Ayes. 0 Nays. The motion carried unanimously.

11:39 AM Commissioner Rost made the motion to recess for the day. Commissioner Ranum seconded the motion. Commissioner Baldwin asked for any other discussion; being none. 3 Ayes. 0 Nays. The motion carried unanimously.

Commission attended a Health Board Meeting at 12:00 PM at FMC. They also attended the Little Beaver Conservation District Meeting at the USDA Building.

EVENING RECESS

THURSDAY, MARCH 8, 2018

9:30 AM RECONVENE

PRESENT: Steve Baldwin, Chairman; Deb Ranum, Roy Rost, Members; Kelsey Phillips, Recording Secretary/Clerk

FALLON COUNTY COURTHOUSE

PUBLIC COMMENT – NON-AGENDA ITEMS

No one appeared for public comment.

9:59 AM David Espeland, FMC CEO; Margie Losing, FMC CFO joined the meeting.

Revenues- January was a great month for revenue at FMC. Margie reviewed the numbers on the report with Commission. The managers have been doing a great job cutting down the expenses for FMC.

Parkview Updates- Discussed the carpets at Parkview. With the upcoming project, they are planning to put in a new sub-floor all together. Water has been coming into one of the Parkview apartments, as the gutter contractor from last year didn't put leaders on the downspouts. The water is dumping right next to the foundation, therefore; the melted ice is seeping inside. They have put temporary extensions on the downspouts, but are waiting for the contractor to come and permanently repair them.

Parkview Lifelines- Discussed the rental contracts within Parkview, and the Lifeline units that all residents are required to have within their apartments. The Lifeline that the county offers works great and is affordable. Without having the Lifeline, it creates a liability for Fallon County. One of the current residents is wanting a different brand of Lifeline, which is a breach of contract. If residents would like a different Lifeline than the county offers, they are to get Commission approval. The residents will need a contract with their lifeline company providing the amount of time their contract is valid for. Commission gave David the approval to send out a memo to inform the residents that if the alternative company is approved, an amendment will need to be created to the resident's rental agreement. Commission agrees with modifying an existing amendment that was used previously.

Employees- Discussed the addition of a mid-level provider to come to Baker under a 13-week contract. David is trying to keep the current providers from over working and burning themselves out. Staffing in rural areas, including Fallon County, still continues to pose a big problem.

10:51 AM Margie and David left the meeting.

10:57 AM Shyla Hadley, Fairgrounds Manager joined the meeting.

Bulls Broncs & Barrels Report- Shyla presented the Bulls Broncs and Barrels report from February 2018, and compared this year's event to the previous year. Discussed changes that could be made to make the event even better moving forward. More money was raised in sponsorships this year compared to previous years. Shyla and Commission agree that sponsors for fair events should be looked at in other areas as well, not only in the Baker area.

11:15 AM Debbie Wyrick, Deputy Clerk and Recorder; Brenda Wood, Clerk and Recorder joined the meeting.

11:17 AM Jason Rittal, County Development Advisor joined the meeting

11:17 AM Shyla left the meeting.

Election Equipment- Commission gave approval to Brenda about storing the elections equipment downstairs in the storage room.

11:19 AM Brenda left the meeting.

Treasurer's Bond- Jade Boggs, Insurance Store, has sent Debbie the information needed regarding the new coverage for the county that was discussed earlier with Commission. It will increase all the coverages for employees, and would save an estimated \$1,200 a year. Everyone would be covered, not only the Treasurer. Commission agreed and gave approval. Debbie will send a notification to Jade to cancel the Treasurer's Bond.

11:21 AM Debbie left the meeting.

Road Haul Agreement- Discussed the Road Haul Agreement. Jason has drafted a letter for Commission to sign. It is an agreement between Fallon County and TransCanada Keystone Pipeline, LP. Fallon County has authorized Keystone to proceed with the improvements to haul roads within the county. Commission signed the letter in approval.

Response to ACLU- Jason met with Darcy Wassmann, County Attorney, and drafted a letter regarding the information Fallon County will be sending to the ACLU. This includes the amount of time and money it will cost for the extensive work of the request. Nothing will be done until we receive the requested payment from ACLU. Commission reviewed the letter and signed in approval. Jason will work with Dustan Davis, IT TECH, to set up a uniformed process of the steps to be taken to get the information needed from employee computers.

11:32 AM Dustan Davis, IT TECH joined the meeting.

E-mails- Dustan helped Commissioner Ranum set up both her e-mail accounts to be joined together. She was not receiving her e-mails, and this should now be resolved.

11:48 AM Jason left the meeting.

11:57 AM Dustan left the meeting.

11:57 AM Commissioner Rost made the motion to adjourn. Commissioner Ranum seconded the motion. Commissioner Baldwin asked for any further discussion; being none. 3 Ayes. 0 Nays. The motion carried unanimously.

MEETING ADJOURNED

ADJOURN
s/Steve Baldwin, Chairman

MINUTE TAKER:
s/Kelsey Phillips, Recording Secretary/ Clerk

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