

MONDAY, SEPTEMBER 3, 2018

**OFFICES CLOSED IN HONOR OF LABOR DAY – NO COMMISSION IN SESSION**

TUESDAY, SEPTEMBER 4, 2018

**9:00 AM CONVENE**

**PRESENT: Deb Ranum, Roy Rost, Members; Kelsey Phillips, Recording Clerk/Secretary**

**ABSENT: Steve Baldwin, Chairman**

**FALLON COUNTY COURTHOUSE**

**PUBLIC COMMENT –AGENDA/NON-AGENDA ITEMS**

**9:01 AM Chuck Lee, DES-911 Coordinator joined the meeting.**

**County Road Signs-** Chuck received a call last week regarding the signs on the roads in Fallon County, Carter and Wibaux. They are becoming more and more faded from the sun. They are under a 12-year warranty and were purchased 11 years ago. Chuck would like to propose to replace all of the signs at no cost to the County. He has also talked to Bobby Wiedmer, Road Supervisor. He will keep Commission informed of the progress.

**GPS Transmitter-** Chuck has received an e-mail from the State of Montana that they would like to put a radio transmitter in Baker to provide better precision to GPS users from handheld devices. They are installed all over the US. There would potentially be one in the Circle area as well. \$600 a year would be paid to Fallon County if the transmitter is allowed. Chuck would like to explore the logistics more before moving forward.

**9:15 AM Chuck left the meeting.**

**9:29 AM JoDee Pratt, City Mayor joined the meeting.**

**City Updates-** Discussion on the agenda for the upcoming City Council meeting on Wednesday, September 5, 2018. The budget will be reviewed.

**Baker Lake High-Water Mark-** JoDee would like to know how the high-water mark is determined at Baker Lake. Commission is unsure of this answer as well; however, they do know it was not changed during the progress of the Lake. JoDee wondered if there are pins to mark it or if it is simply an elevation.

**9:40 AM Mary Grube, Planner Administrative Assistant joined the meeting.**

Mary informed the group that the high-water mark is the ridge around the Lake. It marks the highest the water should ever be in the Lake. If it reaches the top, it will go over the overflow area that is constructed. When the water is going over the spillway, it can be considered that the water is at the high-water mark. Discussion on private properties and the process for shoreline protection.

**9:46 AM Mary left the meeting.**

**City Budget-** JoDee asked about the budget for the City and what was determined by the Commission for the Parks and Recreation departments. No decisions have been made, discussion did take place on different options. The City will be able to manage both of the departments this fiscal year, but there may need to be a change in the upcoming years. The Recreation department is going to stay within the City. Both the Commission and JoDee would like to get more people involved in the Parks and develop a Park Board. The departments will carry on as normal with the intent of developing a committee together to form a Parks Board. If the City Council is for that decision, the County is as well.

**10:00 AM Bobby Wiedmer, Road Supervisor; Alba Higgins, Shop Foreman; Mitch Overn, Mechanic joined the meeting.**

**Veteran's Memorial-** Discussion on the sprinklers at the Veteran's Memorial and different strategies to have the water not facing or hitting them in the wind.

**10:05 AM JoDee left the meeting.**

**Road Department Updates-** The Road Department employees have been busy mowing. The differential should be put back together by the end of this week. The parts are ordered for the Senior Citizen bus. Discussion on setting up a charge account at Denny Menholt, as it is a frequently used business. Some employees will be attending a training this week in Billings.

**10:13 AM Alba and Mitch left the meeting.**

**Road Updates-** They have also been working on hauling gravel. Blading took place last week in a few different areas. The Willard Road is starting to show some wear and tear from the State project taking place on the 101 Road. The road signs were discussed, as well as the traffic use in that area.

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

**Mainly Marathon-** The haul road is still going to be in use around the Lake for a while longer. The Mainly Marathon is taking place next Monday, which will need to have a route change because of the haul road.

**10:23 AM Scott Rabbitt, Parks Supervisor joined the meeting.**

Scott provided maps of a different area for the marathon to take place. It would have them turn around at the Weed building, leaving the main entrance to the Airport wide open. Scott has been in contact with Lisa Mitchell, Ambulance Director, as well as Trent Harbaugh, Sheriff. They will only be losing a tenth of a mile this way. There are usually over a hundred people running in this marathon. They start at the Gazebo parking lot. The Commission sees no issues with this new route. Scott will call dispatch on Friday to remind them that the route will be closed to traffic.

**10:30 AM Scott left the meeting.**

**10:33 AM Eric Kary, Golf Course Superintendent joined the meeting.**

**Wetland Seed-** Three quotes came in for the grass seed for the wetlands in Baker Lake. It was quoted at \$310.50 an acre. Discussion on different seeds that were proposed to be planted. Some are natives that aren't wetland grasses. There is an estimated ten and a half acres. This includes grass wetlands and underwater wetlands. Most will be planted in the spring. It is included in the estimated final cost. The Commission gave approval to move forward with the seed purchase. This includes slender wheatgrass, western wheatgrass, purple coneflower, purple prairie clover, winterfat, alkali sacaton, saltgrass, little bluestem, prairie sandreed and prairie coneflower.

**Commissioner Rost made the motion to accept the quote for the seed from Granite Seed and Erosion Control for the Baker Lake Wetlands in the amount of for \$3,260.25. Commissioner Ranum seconded the motion. Commissioner Ranum asked for any other discussion; being none. 2 Ayes. 0 Nays. 1 Absent (Commissioner Baldwin). The motion carried.**

**Change Order-** A change order will be done for the shoreline along Baker Lake. The difference in cost is a \$71,000 reduction on the contract prices. The Commission agrees. The change order will be reviewed once it is revised.

**10:43 AM Bobby left the meeting.**

**Baker Lake Updates-** Shannon received an application for payment #11 from Western Municipal for the Baker Lake Dredging process. The remaining debris material in the south end of the Lake was removed. Gravel and miscellaneous items as far as top soil, as well as reclaiming Griffith's property is still left to be completed. A portion of the dredging has already been paid for. The dredging total is 97% completed, which is where it will remain for the remainder of the project. They just started on grading wetland area A, which is the southernmost wetland. About 60% of that grading has been completed. They are done grading wetlands, all that is left is topsoil. Within the next few weeks they would like to get started on the boat ramp. Everything is supposed to be done by October 15<sup>th</sup>, because that is when the water has to be released out of the Upper Lake.

**Commissioner Rost made the motion to accept Pay Application #11 from Western Municipal Construction in the amount of \$687,924.96 for the Baker Lake Dredging Project. Commissioner Ranum seconded the motion. Commissioner Ranum asked for any other discussion; being none. 2 Ayes. 0 Nays. 1 Absent (Commissioner Baldwin). The motion carried.**

**Change Order-** A change order has been received for cleaning out the cattle guards on Denbury's roads. One has been completed, which is included on the pay application.

**Commissioner Rost made the motion to accept the Change Order #4 for Western Municipal Construction for \$3,000. Commissioner Ranum seconded the motion. Commissioner Ranum asked for any other discussion; being none. 2 Ayes. 0 Nays. 1 Absent (Commissioner Baldwin). The motion carried.**

**TransCanada Pipeline and Lagoon Line-** The lagoon line running to the Golf Course is being moved because the TransCanada Pipeline's man camp is going into that area. They are going to use the same type of materials as there is now. TransCanada takes care of the cost and labor.

**Commissioner Rost made the motion to accept the proposal from KLJ for Baker Golf Course Irrigation Main Relocate that goes through TransCanada's Man Camp. Commissioner Ranum seconded the motion. Commissioner Ranum asked for any other discussion; being none. 2 Ayes. 0 Nays. 1 Absent (Commissioner Baldwin). The motion carried.**

**10:57 AM Mary Grube, Assistant Administrative Planner joined the meeting.**

**10:58 AM Eric left the meeting.**

**Sidewalk Project-** The schedules are made for tracking purposes for payments on the Sidewalk Project. Schedule 3 is the Parkview Apartments, which the majority of the cost has come from. The Museum should be able to be reopened by next week.

**Commissioner Rost made the motion to accept the Pay Application #1 for Diamond J Construction for the Sidewalk Improvement Project in the amount of \$32,135.94. Commissioner Ranum seconded the motion. Commissioner Ranum asked for any other discussion; being none. 2 Ayes. 0 Nays. 1 Absent (Commissioner Baldwin). The motion carried.**

**11:12 AM Shannon left the meeting.**

**Happy Horse Subdivision Staff Report #MNR-FP-18-01 Final Plat-** Based upon the final plat application and additional information, Mary recommends that the Commission approves of the Happy Horse Subdivision of the SW1/4 Section 31, Township 07 North, Range 60 East. She also explained that this is ahead of schedule.

**Commissioner Rost made the motion to adopt the Staff Report MNR-FP-18-01 as Findings of Fact and that the Final Plat for the Happy Horse Minor Subdivision be approved. Commissioner Ranum seconded the motion. Commissioner Ranum asked for any other discussion; being none. 2 Ayes. 0 Nays. 1 Absent (Commissioner Baldwin). The motion carried.**

**Planning Updates-** The public hearing for the Keystone Man Camp will be in October of 2018. Discussion on administrating the permits and who's hands that falls in. The Planning Board meeting will be held on October 1<sup>st</sup>. Discussion took place regarding the Lake Shore Regulations from the City and the need to develop an interlocal agreement for the City and County regarding the Lake. The City does have their own Lake Shore Regulations.

**11:42 AM Mary left the meeting.**

**11:43 AM Commissioner Rost made the motion to take a noon recess. Commissioner Ranum seconded the motion. Commissioner Ranum asked for any other discussion; being none. 2 Ayes. 0 Nays. 1 Absent (Commissioner Baldwin). The motion carried.**

## **NOON RECESS**

### **RECONVENE**

**PRESENT: Deb Ranum, Roy Rost, Members; Kelsey Phillips, Recording Clerk/Secretary**

**ABSENT: Steve Baldwin, Chairman**

**FALLON COUNTY COURTHOUSE**

### **PUBLIC COMMENT – AGENDA/NON-AGENDA ITEMS**

No one appeared for public comment.

**1:11 PM Dick Vande Bossche, ONEOK Right of Way Director joined the meeting.**

**1:25 PM Bobby Wiedmer, Road Supervisor joined the meeting.**

**ONEOK Updates-** During the last visit, a Road Use Agreement was discussed in depth. Carter County's agreement was reviewed and used as a guideline to pertain more to Fallon County. Fallon County is using Stahley's Engineering for pre and post assessment of the roads. There is no agreement set in place yet. Carter County is also planning on using Stahley's Engineering. It would be a cost reimbursement type agreement. Bobby explained that he has discussed it with the Commission and they would like to go along the same lines as Carter County. Dick expressed that a portion of the pipeline would like to be built this year. He would prefer to get a coordinated plan in order to have Stahley's come

in the middle of September, as well as get an agreement prepared with both Counties. At this time, he cannot say exactly where it will be in the County, but wherever it may be, it drives the need for an agreement to be put in place. Discussion on the precautions for dust control. Bobby is fine with mag chloride or water for dust control. ONEOK is flexible with either, as they will be paying for it. Discussion followed on the ONEOK route, as well as speed limits. The road use permit bond is required by some Counties. The provision for a bond has been created, but ultimately it is up to the County. Bobby believes the bond is needed. The bond is structured for two years after construction. It allows protection for both sides. It is preferred to post a bond rather than using a line of credit. The question was asked if there is any overlap between TransCanada and ONEOK. Bobby reviewed the haul route and does not believe there will be overlap between the two. A few changes to the agreement will need to be added, as well as a bond and a dust control plan. The changes will be made and sent to Darcy Wassmann, County Attorney, to review before furthering the process.

**2:15 PM Dick and Bobby left the meeting.**

**2:28 PM Amanda Stephenson, David Turch & Associates joined the meeting via conference call.**

**Powder River Training Complex-** Senator Mike Rounds from South Dakota has sent a letter to the FAA regarding the Powder River Training Complex. Daines and Tester were both notified to talk about what this is in regards to with Turch and Associates. The FAA renegotiations are coming up this calendar year. They are talking about raising the ceilings for flights for the PRTC so that they are not as low to the ground anymore. It would be less intrusive to the City and people in the area. This is a coordinated effort between the Senate, Turch and the County.

**Baker Lake-** Amanda asked about the progress of Baker Lake and Commissioner Rost informed her that the 15<sup>th</sup> of October is the deadline for the water to be let out of the Upper Lake. A few plants will be planted this fall, but the majority of them will be in the spring. Commissioner Ranum asked Amanda if David may want to see the final project before the water is let out. Discussion followed on setting up a meeting time in early October.

**2:38 PM Amanda hung up the phone, therefore leaving the meeting.**

#### **MINUTES APPROVAL FOR WEEK OF AUGUST 27-31, 2018**

**Commissioner Rost made the motion to approve the minutes from August 27-31, 2018, with corrections. Commissioner Ranum seconded the motion. Commissioner Ranum asked for any other discussion; being none. 2 Ayes. 0 Nays. 1 Absent (Commissioner Baldwin). The motion carried.**

#### **TIME SHEET REVIEW**

**Commissioners reviewed and approved August 2018 time sheets, payroll & withholdings in the amount of \$606,149.78 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 \$1,208,430.64 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 an Encroachment Permit for Denbury.

**4:58 PM Commissioner Rost made the motion to recess for the evening. Commissioner Ranum seconded the motion. Commissioner Ranum asked for any other discussion; being none. 2 Ayes. 0 Nays. 1 Absent (Commissioner Baldwin). The motion carried.**

#### **EVENING RECESS**

**WEDNESDAY, SEPTEMBER 5, 2018**

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

**PRESENT: Deb Ranum, Roy Rost, Members; Kelsey Phillips, Recording Clerk/Secretary**

**ABSENT: Steve Baldwin, Chairman**

**FALLON COUNTY COURTHOUSE**

**PUBLIC COMMENT – AGENDA/NON-AGENDA ITEMS**

**1:28 PM Jerrie Newell, Clerk of Court joined the meeting.**

**Budget Complaint-** Jerrie would like to express to the Commission that she believes there is unnecessary operating expenses in the budget for Justice Court. She doesn't understand why the Justice of the Peace operating budget is higher than hers when she works more hours a week.

**1:32 PM Mary Grube, Planning Administrative Assistant joined the meeting.**

**1:35 PM Kimberly Jensen, Accounts Payable Clerk joined the meeting.**

Commission and Kimberly explained the budget in more detail, including the traveling and training line items. Jerrie would like the taxpayers to know what they are paying for, as elected officials are responsible for their own budgets.

**1:47 PM Rich Menger, Sanitarian joined the meeting.**

**1:52 PM Jerrie and Kimberly left the meeting.**

**Workforce Housing Zoning Application-** Mary would like it to be on record that she has delivered the Workforce Housing Zoning Application for the Keystone Man Camp. The Zoning Administrator will hold a public hearing on October 2<sup>nd</sup> at 5:30 PM at the conference room in the basement of the Court House. It will be placed on the website for the public to view and has been delivered to interested parties, as well as Susan Swimley, Contracted Land Use Attorney.

**1:54 PM Mary left the meeting.**

**Water Vault-** The City has a water vault located by Jackson Village. It acts as a spring that is flowing into Sandstone Creek. Tomorrow the City plans to hydro vacuum the water vault. Rich would like to know how fast the water comes back in after it is vacuumed out, as it could be an excellent water source.

**1:56 PM Brenda Wood, Clerk and Recorder joined the meeting.**

The rate and capacity of the water flow will determine if it's worth looking into further. Rich will investigate and schedule a meeting with the Commission.

**1:59 PM Rich left the meeting.**

#### **ADOPT FISCAL YEAR 2018-2018 BUDGET/RESOLUTION**

**2:03 PM Barb Ketterling, Treasurer joined the meeting.**

**FY 2018-2019 Budget-** There is almost a full reserve amount in the fiscal year 2018-19 budget for the County funds. They have levied the full maximum amount. The mill value went down, but with a slight increase in tax dollars. Everything has stayed the same from the preliminary budget review, other than a few budgets getting cut back, as discussed. There has been \$500,000.00 moved into the retirement budget as per Commission request because of the upcoming repairs. There is oil and gas money available to accommodate the repairs. The Sheriff's HVAC is no longer getting replaced, just repaired, which has also lowered the budget. The gravel for the Road Department budget was left the same. In the Bridge Fund, they allowed for just the one bridge this year for Pennell Road. Discussion about budgeting and moving Enterprise Funds into the Capital Projects Fund. The auditors said this is fine, however it needs to be transferred out into their own personal budgets. The departments can still budget for projects, but they also have to budget for a transfer.

**2:12 PM Anna Straub, City Judge joined the meeting.**

Discussion on what is in the Veteran's Memorial budget. Repairs are in the plans for this fiscal year, however the Commissioners have not decided about moving the Memorial at this time. No decision has been made as to what the repairs will be. Commission agrees that the budget looks good to them. Discussion on the budget for Baker Lake and what is left to be paid.

**2:48 PM Barb left the meeting.**

**2:49 PM Commissioner Rost made the motion to accept Resolution #1003 – Approving the Final Budget and Setting Levies for Fallon County for Fiscal Year 2018-19. Commissioner Ranum seconded the motion. Commissioner Ranum asked for any other discussion; Anna asked if the City of Plevna receives**

money from the County, which Commission answered as occasionally. There is budgeted money for them for their sewer project and streets. The County does help them when needed. Commissioner Ranum asked again if there is any other discussion; being none. 2 Ayes. 0 Nays. 1 Absent (Commissioner Baldwin). The motion carried.

2:59 PM Anna and Brenda left the meeting.

3:00 PM Commissioner Rost made the motion to recess for the day. Commissioner Ranum seconded the motion. Commissioner Ranum asked for any other discussion; being none. 2 Ayes. 0 Nays. 1 Absent (Commissioner Baldwin). The motion carried.

#### **EVENING RECESS**

**The Baker City Council Meeting occurred at 7 PM and was held at the Fallon County Courthouse Courtroom.**

**THURSDAY, SEPTEMBER 6, 2018**

#### **9:00 AM RECONVENE**

**PRESENT: Deb Ranum, Roy Rost, Members; Kelsey Phillips, Recording Secretary/Clerk**

**ABSENT: Steve Baldwin, Chairman**

**FALLON COUNTY COURTHOUSE**

#### **PUBLIC COMMENT – AGENDA/NON-AGENDA ITEMS**

No one appeared for public comment.

**9:12 AM Julie Straub, HRM; Shanny Spang Gion, SMART Director joined the meeting.**

**9:15 AM Beth Epley, Eastern Plains Economic Development Corporation joined the meeting.**

**Lake Recreation Area Contract-** Beth would like to discuss the Department of Commerce project with Baker Lake. Jason Rittal, previous Fallon County Economic Advisor, was working on it before he left the position. SMART will also be one of the partners for the project. Beth reviewed the application for the grant, which was approved. This grant is for tourism-related projects. Discussion on different areas that might attract tourists, such as dinosaur bones or other Museum items. Beth will check with the Dinosaur Trail to inquire about further possibilities. The Mon-Dak meeting is being held next week in Bowman, North Dakota, to promote economic development across state lines. Shanny and Beth will be attending, as it is a good opportunity to collaborate ideas. The same contractors will be doing the sand for the beach projects that have been working on the project throughout. This includes the existing beach at Triangle Park, as well as the new beach at Iron Horse Park. When that portion of the project starts, Beth would like to be included and she will submit the draws, gather the invoices and send them off to the Department of Commerce.

**Childcare in the County-** There is a need in Fallon County for childcare facilities, as the option is very limited. Some counties are looking at a child care co-op, which is owned by the parents and they “buy stock” while their kids are in the childcare, or owned by the employees that work there. Both Havre and Polson are doing studies on child care co-ops because they are facing the same difficulties. The Commission would like Shanny and Beth to continue researching this type of childcare. Shanny has also been approached about childcare, as the only licensed facility in Baker was recently closed. Some school systems do offer childcare as well. There are different options and places to look into, as another option is to work within the County, the City, the schools and non-profit organizations as well.

**9:46 AM Kim Cuppy, Director of Public Health joined the meeting.**

The biggest cost for childcare is food and providing a competitive rate. The Commission is fine with Shanny and Beth continuing to look into different options for a childcare facility. Beth will continue to look at different buildings and areas that may be suitable. A conditional use permit may be used for zoning purposes in residential areas.

**9:49 AM Beth and Shanny left the meeting.**

**Permission to Hire-** There were great candidates for the temporary position for Public Health. They would like to offer the position to Heather Havens, as she has tremendous experience in the field. It is a

temporary position that could potentially change into a permanent position. Discussion followed on the job description.

**Commissioner Rost made the motion to hire Heather Havens for the Temporary Part-Time Position of Home Health Aide for Public Health. Commissioner Ranum seconded the motion. Commissioner Ranum asked for any other discussion; being none. 2 Ayes. 0 Nays. 1 Absent (Commissioner Baldwin). The motion carried.**

**9:56 AM Kim and Julie left the meeting.**

**10:01 AM Margie Losing, FMC CFO; David Espeland, FMC CEO joined the meeting.**

**FMC Financial Update-** David would like to know who is running the projects now that Jason Rittal is no longer working for Fallon County. Commission informed him that Shannon Hewson, Brosz Engineering, is taking care of the projects with the sidewalk at Parkview. David explained that Diamond J Construction has not finished landscaping at Parkview. David will contact Shannon to ask when the project can be expected to be complete. Margie discussed the revenues from the year end financials for FMC in great detail, including the gross revenue, net operating revenue, expenses and operating gains. David would like to express that Margie is doing a wonderful job with the financials and has put a great deal of time into this report. The year-end financials were discussed thoroughly month through month.

**11:34 AM Margie and David left the meeting.**

**11:48 AM Commissioner Rost made the motion to adjourn the meeting. Commissioner Ranum seconded the motion. Commissioner Ranum asked for any other discussion; being none. 2 Ayes. 0 Nays. 1 Absent (Commissioner Baldwin). The motion carried.**

#### **MEETING ADJOURNED**

**The Commission attended the Chamber Meeting on Thursday, September 6<sup>th</sup> at 12 PM at the Lakeview Country Club.**

ADJOURN  
s/Deb Ranum, Acting Chair

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

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