

Monday, January 14, 2013

**PRESENT**

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

**NON-AGENDA**

**9:15 AM-Spencer Huether**, Road Technician met to discuss a letter received for the Road Hearing scheduled for this afternoon. Spencer explained the road to (Chris Hoffman's) property has been closed since 1933 (which was the only access to this property).

Commissioner Ranum asked why the County was abandoning this road again. Spencer stated the road is part of another Petition that will be part of the Resolutions heard at the hearing today.

Commissioner Ranum discussed her concerns of land locking any landowner, balance of the Commission agreed.

Discussed the possibility of Mr. Hoffman gaining access by way of an easement from adjoining landowners.

Spencer's concerns are the road to the landowners' property was already abandoned in 1933.

**9:30 AM-Vera Abrams** brought in the Commissioner Minutes from January 7<sup>th</sup> – January 11, 2013 for Commissioner approval and left.

**Back to the above meeting;** Spencer explained this will not be abandoning the road the land owners are talking about today at the hearing; this is a different petition that adjoins. Commissioner Randash feels we need to wait on doing anything with that road at this road hearing.

The Commission feels Petition 47-Road 109 should be pulled from this hearing, get more information and possibly add to another road hearing at a later date. This will be discussed at the hearing.

**Bridge on Vassar property**-Commissioner Randash stated he has spoken to the Dowdall's about their easement regarding the bridge on John Vassar property. They told him they were waiting to hear what the DeGrand's had decided to do. Commissioner Randash spoke to the DeGrand's as well. Both parties are agreeable to sign they just have not done so at this time.

**9:40 AM-Joe Janz**, Outside Building Maintenance stopped to inform the Commission the door handle leading to Dispatch was accidentally broken yesterday (West Side Door). Holmlund Mobile Lock and Key was contacted by Joe and will be coming to repair it today, along with a few other door issues.

The issue seems to have been the Officer trying to open the door forgot to re-enter the code before trying to open the door a second time; excess force caused the handle to break. Joe stated Holmlund plans to replace with a different type door knob. Joe will also let Lynda Herbst, Custodian know Holmlund will be here today.

**9:45 AM-Dennis Pathroff**, Landman for Denbury Resources, Inc met to discuss staking a well site on County property. Denbury would like permission to stake it before Wednesday when their crew comes to Fallon County to stake 2 other sites on private land. \$1,200.00 per acre is what they are offering and \$20.00 per rod for roads. The Commission granted permission but asked Dennis to check with Spencer Huether, Road Technician and find out if the County land is leased.

Dennis explained they have 20 wells they plan to stake for sure on a list of possibly 35 wells; all in the Cedar Creek Anticline.

**9:55 AM-Lobbyist discussion**-Due to the passing of William Duffield, Commissioner Randash would like to suggest Don Rieger as a Lobbyist for Fallon County and Rod Johnson as Lobbyist for the MAOGCC (MT Assoc Oil, Gas and Coal Counties).

Commissioner Ranum feels someone from Fallon County should be on the MAOGCC Board since Fallon County holds 27% of mineral interests in Montana. Commissioner Ranum stated she had expressed her concern to the Chairman of that Board.

Commissioner Ranum stated the County Attorney, Albert "Rich" Batterman will be up in Helena as well (Could speak on behalf of Fallon County).

Commissioner Baldwin stated he felt you would have to consider the health issue of Mr. Rieger and the fact the voters have spoken. Commissioner Baldwin will talk to Don Schillinger, Superintendent-Baker Schools and possibly they can work together.

**10:00 AM-Convene Regular Agenda**

**Bobby Wiedmer, Road Foreman-Road Report**

Monday, January 14, 2013 (Continued)

**Bismarck trip**-Commissioner Ranum stated Tom Kachel, Landfill Manger would like to take Mike Kirschten, Landfill Employee with when viewing the John Deere dozer on Friday the 18<sup>th</sup> at the Bismarck Landfill. Permission granted.

**Road Report**-The crew is hauling on Cabin Creek Road.

**Roads Checked**-Bobby checked roads on Saturday for blowing, drifting, etc and found one road that needed attention and took care of it (near Scott Abrams).

**Landfill Dozer**-Kevin Sedwick/CAT Salesman is at the Courthouse and would like to visit with the Commissioner's about what CAT would have to offer as far as a Landfill Loader.

**Pits**-Bobby has not heard back from the County Attorney regarding the Cox and Fish Pits.

**Snow Plow Truck**-Is in Glendive getting doors painted; Alba does not feel they will have it ready to use this season.

**Old Sheriff Pickup**-Alba is working on the pickup that will now be the Golf Course pickup.

**Surfacing**-Commissioner Baldwin asked Bobby what the County's policy was if someone wanted to haul surfacing for the road to their home from a County pit located on their property. It was understood the County had paid the landowner for the material. Commissioner Ranum stated some have been allowed. Bobby stated he would like to discourage it from becoming common practice. Bobby will speak to the landowner (Kalyn Bohle).

**Transportation Bus**-Commissioner Ranum asked if the Transportation Bus could be parked inside the County shop those times when we have no Ambulance. Commissioner Ranum wanted to discourage individuals from using their private vehicles. Commissioner Baldwin feels we need to check on the liability issues first. Commissioner Ranum feels we need to find what options we have if this issue arises again.

**10:15 AM-Kevin Sedwick-T & E Salesman** had been told the County may be in the market for a D7 Dozer for the Landfill. Kevin wanted to discuss what T & E had to offer as far as extra guarding, due to all the debris at Landfill's. Kevin explained the cut-out on the undercarriage, allowing the trash a place to go.

**10:20 AM-Alba Higgins, Shop Foreman** joined the discussion.

Kevin explained they also have thermal protection (fire suppression), oval track (no more high track) on the D7's; electric propelled (which causes them to be more costly upfront) but they burn less fuel because of the electric drive. Discussed RPM's and speed control; Kevin will bring more information to the Commission. Kevin left the meeting.

**Shop Report**-Wy-Mont was down and finished putting in the new Hotsy (truck wash unit).

**Offices**-Darold Brown completed the painting and they are now putting the offices back in order.

**Secretary**-Discussed Secretary wages will be the same as listed on the Salary Schedule and will go before the Commission to be added to the FY14 Salary Schedule.

**Blades are winged up.**

**Sander**-The chain for the sander should be here this week.

**Sanding**-They have sanded various roads; Shell Oil Road intersection, (Commissioner Ranum would like extra sanding on this road when icy). Commissioner Ranum asked why they were sanding Dance Hall Road. Bobby and Alba explained from the top of the hill coming down to the stop sign is all they sand.

**Specs**-Alba explained the specs for the Landfill Dozer will be generic. The dozer at the Bismarck Landfill is already being used and is rigged up with extra guarding, etc. Alba feels the County should order the over pressurized cab to help keep the cab free of dust due to the electronics and for the benefit of the driver; also feels the County should invest in the fire suppression unit.

**Baler**-Commissioner Randash stated while they are in Bismarck they should view the baler system at their Landfill.

**10:40 AM-Short recess.**

**10:50 AM-County Leases** were discussed-no decisions made.

**11:00 AM-Desiree' Thielen, County Planner- Work Force Zoning (Countywide)**-Would like permission to move forward and have the County Attorney review the workforce housing zoning Resolution earlier presented to the Commission. Desiree'asked if everyone had time to review it; Commissioner Ranum had not gotten through the entire Resolution. Commissioner Baldwin stated he feels we do need some regulations in this area.

**Sanitarian-Mike Rinaldi** will be here today. The Commission would like to visit with him today and get his input regarding work force zoning and how he has helped other counties implement the zoning.

**Public Hearing-John How, KLJ** will be here January 17<sup>th</sup> for the Public Hearing pertaining to the Growth Policy and Subdivision Regulations.

Monday, January 14, 2013 (Continued)

**Planning Board**-Discussed the Planning Board being a County-wide Board, inclusive of City of Baker and Town of Plevna. The Town of Plevna does not turn over any permits, etc to the Planning Board and business is being conducted as their Council sees fit. Desiree' plans to attend the Town of Plevna's next meeting and ask for their Town Ordinances, etc as she has had no success in getting them thus far.

**Extra Territorial Zoning**-This is zoning controls over land adjacent to the boundaries of a City (one mile was discussed).

**Resolutions**-Discussed previous Resolutions (prior to 1975) pertaining to the Planning Board, which would give more detailed insight into the formation of the Board and its inclusions.

**Flood Plain**-Commissioner Ranum asked if there had been any recent updates to the Flood Plain mapping for Fallon County. Desiree' was not aware of any but has asked for a map request for the Town of Plevna because they have none. Jon Brosz is also asking for this for the North Baker Water/Sewer District due to the ditch that was added.

**Work Force Zoning**-It was asked how the Work Force Zoning would affect what is going on with the man camp that TransCanada is planning on setting up West of Baker. Desiree' explained if the County gets the zoning put into place, the lessee would have to following the zoning. All we have with them now is a land lease which does not give TransCanada any guidelines to follow. There was further discussion on the possibility of the man-camp area being annexed into the City. Desiree' has not had discussion with the City of Baker on this. The Commission made the decision to discuss the workforce zoning further until they meet with the Sanitarian today. The decision was the Sanitarian and Planner will come in between 2 PM and 3 PM today.

**11:35 AM-Tim Barkley, Sheriff** met to discuss the County's per day Jail Rate with the Commission. The current rate for Fallon County is \$75.00 per Resolution. Tim stated he feels, for now we are right in the middle in comparison to other areas in the State of Montana.

Tim explained our expenses for the jail are not true due to the fact we have no salaries budgeted in the Care of Prisoner budget. The Sheriff's Department takes care of the prisoners needs through the week when the office is open and the Dispatch Department takes care after hours and weekends and those costs are not reflected in that particular budget. There are other items such as utilities and maintenance that are not reflected in that budget. The group discussed areas where there could be huge costs associated with the Jail that would cause the daily rate to be very inaccurate such as a huge medical issue.

Tim stated the Jail Standard issue will be further debated in the Legislature and this would cause our costs to go up considerably from the \$75.00 it is currently due to new compliance regulations.

**Polling Place**-The Commission discussed the Willard Hall safety concerns presented by the Election Department staff. Commissioner Randash stated he would visit with the Rost's regarding lighting, electrical, etc and report back.

Noon Recess

#### **PRESENT**

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

#### **RECONVENE**

**1:15 PM-Jim Wospeka, Auditor** and later **Barbara Ketterling, Treasurer/Assessor** met to review the **Audit Report for FY2012**. Commissioner Ranum discussed her questions with the Auditor pertaining to the MDA (Management Discussion and Analysis). Commissioner Ranum felt the area discussing Petrocomp at the Landfill needed to be removed as they have not been housed at the Landfill for several years now. Jim agreed he would remove that from the Audit report. The Clerk and Recorder will update her records to reflect this as well.

Jim suggested the Commission maximize the closure/post-closure account for the Solid Waste Fund rather than transferring funds to the Solid Waste Capital Project fund (unless there is a specific project or equipment to purchase). The life of the Landfill could change, with expansion and would then increase the amount of the closure/post-closure costs (used for reclamation of the land).

**Findings**-Jim stated there were no findings and the finding last year had been corrected.

**Contract**-Jim stated this was the last year of their contract with Fallon County. Jim was instructed to update the contract and present it to the Commission for review.

**Motion**-Commissioner Baldwin made a motion to approve the Audit as presented. Commissioner Randash seconded the motion. 3 Ayes. 0 Nays. The motion passed unanimously.

Monday, January 14, 2013 (Continued)

**2:00 PM-Mike Rinaldi, Sanitarian and Desiree' Thielen, Planner** met per Commissioner request.

**Conditional Use Zoning** for Work Camps was discussed. Mike explained this is a way for Local Governments to recoup costs due to impacts that will occur. The Commission would have to hold a Public Hearing before the zoning could take effect.

Mike explained so far Roosevelt County is the only county in Montana that has adopted this zoning and landowners appear to be very receptive to the zoning and the Company's are willing to pay the exceptionally elevated fees. Mike stated the extra fees are used to help with impacts to Local Governments. The fees can be derived by bed tax; connection fees; per building, etc.

**Storm water issues**-Discussed subdivision east of Baker that is working with the MT DOT on their storm water issue by way of culverts to send the water to Sandstone Creek.

**Fallon County Man-Camp**-Commissioner Randash wondered if the man-camp west of Baker would be set up into lots and blocks so this would be more saleable after they leave. Mike felt they would not unless he gets involved with the zoning, etc.

**Resolution**-Desiree' will fill in the Resolution she received from the Department of Commerce and send to the County Attorney for his review. The Commission will wait to hear from the County Attorney before making a decision to proceed with Work Force Zoning.

**Bainville Project**-Mike brought a copy of the Bainville man-camp project for the Commission to view.

**Lagoon**-The group discussed an extra cell for the City of Baker's lagoon system (west of Baker). Mike expressed his concerns the water used for watering at the Golf Course may be discontinued after the new cell is constructed.

### **3:00 PM-Road Hearing in the Courtroom-Fallon County Courthouse**

#### **PRESENT**

Deb Ranum, Chairperson; William L. Randash and Steve Baldwin, Members; Spencer Huether, Road Technician; Brenda J. Wood, Clerk and Recorder and Eugene Garber, Member of the Public.

Full minutes are on record in the Clerk and Recorder's office.

Hearing Adjourned at 3:15 PM

#### **RECONVENED**

The Commission reconvened in the Commissioner's office and signed Resolutions 1-14-2013 – 1-14-2013(3) with the exception of Petition #47 – Road #109; all are on record in the Clerk and Recorder's office.

Spencer Huether, Road Technician discussed the wastewater line from the lagoon to the Golf Course with Commissioner Baldwin, especially that portion of the line that is on private property, in the Meadows Subdivision. This line will need to be abandoned and/or moved due to new construction that will be taking place soon.

#### **4:00 PM-Commissioner Meeting**

**Minutes**-The Commission reviewed minutes from January 7<sup>th</sup> – 11<sup>th</sup>, 2013 completed by Vera Abrams, Recording Secretary. Commissioner Baldwin made the motion to approve the minutes as submitted. Commissioner Randash seconded the motion. The motion passed unanimously.

**Container Site-Time Change**-The Commission agreed to change to winter hours from November 1<sup>st</sup> – April 30<sup>th</sup>. This will be advertised in the paper; Winter hours will begin Saturday, January 19<sup>th</sup> and will be open 8:30 AM – 4:30 PM- Wednesdays and Saturdays. The Clerk and Recorder will get this advertised.

**Tires**-Commissioner Ranum asked if Baker Metal could receive a reduced rate if they cut their tires before bringing them to the Landfill. After some discussion on this matter the issue was Tabled.

**Dispatch Remodel**-The Commission made the decision to wait to advertise the Dispatch Remodel project due to a possible modification to the project.

**Centennial Celebration**-The decision was made to hold the Centennial Celebration during the Fallon County Fair.

**July 4th Celebration**-The Commission agreed to donate extra money to the Fireworks Fund. Commissioner Baldwin made a motion to donate \$2500.00 to the Fireworks Fund this year. Commissioner Randash seconded the motion. The motion passed unanimously.

Monday, January 14, 2013 (Continued)

**Veteran's Memorial Dedication**-Commissioner Ranum is going to suggest the American Legion do the dedication June 2<sup>nd</sup> prior to the Lights of Life.

**MISCELLANEOUS**

The Commission received a letter from Linda McCullough, Secretary of State asking for their support to fund Montana Votes costs in HB2. Letter is filed in the Clerk and Recorders office.

The Commission received a letter from MDU stating the Gun Range Electric rate had been charged incorrectly. The rate charged included a discount; Fallon County was not supposed to receive a discount. The correct rate will take effect 12-18-2012.

The Commission wrote a letter regarding MDT Secondary Road Projects stating Fallon County would support the list as presented but would not support any proposed changes.

The Commission was notified the City of Baker reappointed Rod Johnson to the Airport Commission and the term will next expire, January, 2016.

**MISCELLANEOUS REVENUES**

Baker Air Service-North Hangar Rental- October, 2012- December, 2012-\$1,140.00

Bowers Oil and Gas, Inc.-November, 2012-Oil and Gas Royalties-\$70.77

**ADJOURN**

Commissioner Baldwin made the motion to adjourn at 5:10 PM. Commissioner Randash seconded the motion. Motion passed unanimously.

s/Deb Ranum, Chairperson

ATTEST:

s/Brenda J. Wood, Clerk and Recorder