

Monday, August 18, 2014

9:00 AM CONVENE

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

County Auction-The Commission will contact JK Kinsey to discuss how he could accommodate a County Auction.

9:30 AM Chuck Lee, DES/911 Coordinator; **Matt Jones**, BNSF-Public Affairs Regional Director for MT/WYO and **Randy Hoenke**-Baker Fire Chief

Railroad Crossings-The group met to discuss the issue of the train blocking the railroad for long periods of time. The issues are both Health and Safety related. Matt would like to talk to his operations division about this problem. Chuck explained there have been several discussions relating to possible solutions to the problem. Chuck stated in his mind if trains could be kept west of the 4th Street West siding would be the best solution. Matt would like to meet with the Commissioners in September regarding this matter.

EMPG GRANT-Commissioner Ranum signed the EMPG Grant in the amount of \$25,000 to assist in payment of half of the DES salary (FY14-15).

10:00 AM Bobby Wiedmer, Road Foreman and **Alba Higgins**, Shop Foreman

Pinnow Pit-All material has been hauled from the Pinnow Pit.

Roads-The crew is blading roads due to the moisture; (school bus routes first).

Need more gravel on Cabin Creek road; discussed material for road to Arlene Heim's.

Dust control by Tunby's did not happen, it was left up to Wyrick Construction to take care of.

Wang Pit-One week to strip it, Bobby stated they feel the pit has approximately 70,000 cubic yards of gravel available.

Beach Pit-Material is too soft for Anticline Road but will work on the roads in the Southern portion of the County.

Budgets

Backhoe-The backhoe should be here in about 2 weeks.

Patrols-Decide how to bid the blades; split purchase of blades up or purchase all blades at one time. Alba stated the shop blade should be rotated first as it is used most and has the most hours; then rotate the blades used by the senior blade operators from each district. The Commission will discuss how they will rotate the blades. Alba explained the way the blades are rotated out will make a difference on what they will do with the snow equipment as well.

Trucks-Discussed trading 2 MACK trucks (1 truck-187,000 miles and 1 truck at 201,000 miles), keep the best one and trade one, or, auction one or both, whatever the Commission decides. Discussed the Freightliners are giving them the least amount of electronic problems.

10:45 AM Jim Neary joined.

Tool Carrier-Discussed purchasing a new tool carrier (Loader)

Crusher-Discussed whether the County would continue to crush gravel or quit and go out to a contractor. This would alleviate purchasing equipment and using County man hours to crush; the County's crusher now needs a new engine. The Commission made the decision to purchase crushed materials from local contractors and sell the County crusher at auction.

Commissioner Baldwin would agree to budget to purchase one blade and 2 or 3 trucks in the new Fiscal Year.

11:00 AM Jim Neary-Public Member joined

Mowing-Jim asked why the County mowed the pavement on Cemetery Road but did not mow Ferrel's road. Bobby stated they were not finished mowing yet; mowed the paved portions first for maintenance reasons but will come back and mow the rest of the County roads as they are ready.

Rodeos-Jim stated he felt the speakers were bad on Saturday. The Commission stated they are working on those issues.

Rides for elderly-Some people wondered if they could get rides from parking lot to grandstands for the Senior Citizens. The Commission checked on this already, due to liability issues it would create, they were unable to do this. Also there is not enough man power to staff this position.

Ticket Discounts-Discussed giving Senior Citizen discounts on tickets for the rodeo, etc.
Jim left the meeting.

11:10 AM Back to Alba

Roof on Shop-The Commission stated they need to get the insurance adjuster down to review the buildings again. The Insurance Company has suggested the use of uniflex for the buildings with damaged roofs; the Commission would rather not repair the roofs that way.

Trucks-Send 161 to County Auction and keep 196.

Equipment budget-The Commission made the decision to budget for 3 trucks, 1 blade and a loader

Impalas-Alba feels both Impalas should go to the County Auction. Feels the Health Nurse needs something besides a car to drive when driving County roads, etc.

Signs and posts-Bobby stated they have to replace school bus signs with symbols rather than words.

Grandstand extra supplies-Discussed various items left over from the Grandstand project. The Commission stated there may be some items that should be reviewed again and may need to be kept in case they have items that are damaged. The Commission will ask the Fair Board to store those items at the Fairgrounds; unwanted items can go to the auction.

Lincoln welder on trailer-Permission to send to the County Auction.

11:30 AM Joe Janz

South Sandstone Project-Joe stated everything for the South Sandstone project is a go. Fish, Wildlife and Parks will send everything to their legal and on to us to send to the County Attorney.

New Employee-Discussed placing a new employee under Joe's Supervision. Discussed this as a 30 hour per week position, Permanent Part-Time (year round) to assist with Outside Maintenance and at the Fairgrounds. Joe felt the Fair Board could possibly remove the \$15.00 Part-Time person that works during the Fair if this were to happen.

Other Maintenance-Joe discussed assisting if there are mechanical issues, such as an air conditioner going down. Joe stated he could do some checking to see if a fuse needs to be changed, etc. Joe felt he would be knowledgeable enough to take care of that issue so wondered about purchasing a fuse tester/puller. The Commission felt possibly a licensed electrician may need to do this so stated they would research the answer and get back to Joe.

AUGUST MID-MONTH CLAIMS REVIEWS

The Commission completed reviewing and approved the August Mid-Month Claims in the amount of \$1,039,560.13 and they are filed in the Clerk and Recorder's office.

RECESS

Commissioner Randash made the motion to recess. **Commissioner Baldwin** seconded the motion. 3 Ayes. 0 Nays. Motion Carried unanimously.

Noon Recess

1:15 PM RECONVENE

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

1:15 PM PUBLIC COMMENT-Larry Dahl

Dust Control-Larry wanted to voice his concern regarding the speed people are traveling and the amount of dust by Norita Fried's property. **Commissioner Baldwin** stated he contacted **Glen Frost** with HiLand Crude about this matter and is in hopes that will resolve the issues.

1:25 PM Rich Batterman, County Attorney

Road Haul Agreement-Rich discussed the lack of a Road Haul Agreement with Hiland.

1:55 PM-Kyle Berg, Century Construction and **Jasen Wyrick**, Wyrick Construction joined.

2:00 PM BID OPENING-GRAVEL CRUSHING BID

Commissioner Ranum read the following bids aloud to crush gravel at the Wang Pit-Section 5-Township 9 N-Range 61E. The pit is estimated to have approximately 75,000 yards

Wyrick Construction-Bid received at 11:20 AM 8/18/2014- \$3.10 per yard

Century Construction-Bid received at 12:30 PM 8/18/2014-\$4.30 per yard plus \$50,000 for mobilization

Hufford Construction-Bid received at 1:20 PM 8/15/2014-\$3.00 per yard

Commissioner Randash made the motion to accept the bid from Hufford Construction in the amount of \$3.00 per yard to crush 75,000 +/- yards of gravel at the Wang Pit. **Commissioner Baldwin** seconds the motion. 3 Ayes. 0 Nays. Motion Carried unanimously.

2:30 PM-Repealing TIFID Zoning

Commissioner Ranum brought the meeting to order at 2: 30 PM. It was noted there were no further written or public comments made for or against the repeal of the TIFID Light Industrial Zoning, after the Public Hearing held on August 6, 2014. **Commissioner Randash** made the motion to sign Resolution 8-18-2014 Repealing the TIFID zoning in Fallon County. **Commissioner Baldwin** seconds the motion. 3 Ayes. 0 Nays. Motion carried unanimously. Resolution 8-14-2014 is filed in the Clerk and Recorder's office.

3:00 PM Flood Plain Regulation Adoption and LOMR (MAP) Adoption

Jon Brosz, Brosz Engineering; **Mary Grube**, Planner Secretary; **Lance Wedemeyer**, Public Works Director-City of Baker and **Clayton Hornung**, Mayor-City of Baker

Jon's questions were answered prior to this meeting and further stated if the Flood Plain Regulations are not adopted it will affect the lagoon Project. Clayton wondered if it would be best to adopt just the statutory laws to the existing regulations. The County Attorney informed the Commission it would be fine to adopt the regulations, without the higher recommended standards.

Commissioner Baldwin made the motion to repeal Resolution 6-17-1991 and replace by adopting the 2014 Flood Plain Hazard Management Regulations, without the higher recommended standards, so as to comply with Montana Code Annotated and to keep Fallon County in compliance with current Floodplain Regulations. **Commissioner Randash** Seconds the motion. 3 Ayes. 0 Nays. Motion carried unanimously.

The Flood Plain Regulations will be on the Fallon County Web page; a copy filed in the Clerk and Recorder's office and the Fallon County Planner's office.

3:15 PM LOMR –Letter of Map Revision (MAP) Adoption

Commissioner Baldwin made the motion to approve the LOMR COMMUNITY PANEL 300149 0262 A for the Area by the City Lagoons (North West of Baker). **Commissioner Randash** seconds the motion. 3 Ayes. 0 Nays. Motion carried unanimously.

3:30 PM Floodplain Permit Fees

Commissioner Baldwin made the motion to approve the Flood Plain Fees as submitted.

Commissioner Randash seconds the motion. 3 Ayes. 0 Nays. Motion carried unanimously.

The Commission adopted Resolution 8-18-2014(1) Repealing Resolution 6-17-1991 and Replace by Adopting Revised Fallon County Floodplain Regulations/LOMR and Flood Plain Fees. Resolution 8-18-2014(1) is filed in the Clerk and Recorder's office.

The Regulations will also be reviewed by the DNRC as a guidance for all final pertinent critiquing.

3:45 PM Public Comment

No one appeared for Public Comment.

4:00 PM Jody and **Randy Hoenke** joined.

Back to remainder of Meeting

Retaining Wall-Lance and Brosz Engineering are working on the retaining wall behind the West Side of Lake City Shopping Center and the also the creek channel. Everyone left the meeting except the Hoenke's.

4:10 PM Sidewalk Project

Jodie and Randy expressed their opposition to proposed placement of the sidewalk coming across the back side of the lake by Shepherd's and then near their property. The Hoenke's were never informed or asked anything about the sidewalk being placed where it is now proposed to go. Randy feels their privacy in their back yard will be intruded upon. Discussed possible placement of a fence; Randy and Jodie are not in favor of that. Jodie was concerned for the safety of her Grandchildren and for people walking around the lake (lack of lighting, etc). Randy would recommend placement of the sidewalk in front of Ron Shepherd's, and along Fallon Avenue. Randy further stated Law Enforcement would not be able to patrol the sidewalk so is definitely concerned about that. Randy mentioned the drainage overflows behind Shepherd's also.

The Commission will see what they can do and will look at other possible options. Hoenke's also discussed they would not like street lights shining in their bedrooms at night.

Other Business:

Hail Damage-Randy stated they did receive some damage at the Fire Department Building.

Cold Storage Building-Randy stated they will not start on the new building for the Fire Department until a decision is made on the size.

4:30 PM Planner's Job Description

Discussion on Job Descriptions for the Planning Department and how to proceed. Commissioner Ranum stated she would only agree to have a Certified Planner, whether that be by Employee or Contractor. Stahley Engineering is sending a Representative to Baker on Wednesday to meet with Mary to discuss what their firm offers.

Planner Technician-Mary wondered what the Commission's thoughts were on retitling the Planner as the Planner Technician; have an Administrative Assistant and a Clerk to assist the Planner and the Administrative Assistant. Commissioner Ranum stated she was not in favor.

Flood Plain - Mary asked who would take care of the Flood Plain items; should the Secretary do this. Commissioner Ranum feels this is all premature until they visit with a Certified Planner.

Sanitarian-Commissioner Baldwin discussed hiring a Sanitarian and how this may affect the Planning Department. Mary feels the Plats, etc. will all go to DEQ for review. This will add 90 days to the review process plus the fees will be more costly for the customers. Discussed having Molly from Stahley Engineering conference call the Commission next Monday.

4:50 PM CLOSED-PERSONNEL

FILED FOLDER REVIEWS

The Commissioner reviewed and/or approved the following Folder items for this week:

MISCELLANEOUS

BLM Right of Way Amendments-The Commission received an amended ROW easement from the BLM for the Webster Road in Section 12-2-61 to place and maintain a culvert structure over Coal Bank Creek and also for the Fletcher Creek Road in Section 2-3-59 to place and maintain a culvert structure on Little Beaver Creek.

Invitation-The Commission received an invitation to the Annual Chamber Calcutta – October 4, 2014.

Contract-Commissioner Ranum signed as Chairman of the Board of Fallon County Commission the Contract for Legal Services between Fallon County and Darcy L. Pankratz for the purpose of providing legal services, as prescribed in the Comprehensive Older American Act Amendments of 1987, to persons sixty (60-) years of age or older who reside within the boundaries of Fallon County.

Compaction Tests-The Commission was given compaction information from Scott Rabbitt, Park Supervisor. The test results were for the Skate Park and were performed by Stahley Engineering; results were-each compaction test of the subgrade achieved the minimum of 95% density (which was required to pass).

Runway Markings-The Commission was notified, Roger Meggers, Airport Manager, supplied the FAA with pictures noting the runway threshold markings were painted in the correct location.

ENCROACHMENT PERMIT

Commissioner Baldwin signed **Encroachment Permit #602** for Mid-Rivers Telephone Coop to bore under Green Acres Road for the purpose of installing a Communication Line in Sections 11/12-7-58. \$150.00 fee was received from Mid-Rivers.

JOURNALS

The Commission reviewed and approved the following Journal entries:

BUDGET JOURNAL #9-Budget Journal 6-30-2014 did not include a budget entry for the Weed budget transferring from one line item to another.

JOURNAL #655-Booking Manual Entries into the Ambulance Fund

JOURNAL #656-Adjust Ambulance Accounts Receivable

JOURNAL #657-Plevna Fire Warrant written for incorrect amount. Warrant was voided-Accounting was entered manually.

REPORTS/MINUTES/FLYERS

Field Report 32-This progress report was submitted by Stevenson Design for the Sheriff Addition to keep all parties informed. Filed in the Clerk and Recorder's office.

Change Requests-Change information requests were submitted for review for the Sheriff's Addition for Electrical and General Construction to Dick Anderson Construction by Stevenson Design. Filed in the Clerk and Recorder's office.

Plevna Rural Fire District-August 14, 2014 minutes; Warrants were paid in the amount of \$21,827.83.

Plevna Project Update-Week of August 11, 2014-Completed-Temporary water in the west alley is on line; forming and rebar installation on tank complete; installation of east alley temporary water began; Property access forms being completed. Planned Work-Finish west alley; begin water main installation near school to avoid school schedule conflicts; begin installation in the east alley; finalize temporary water on east alley on complete testing to comply with DEQ requirements; pour concrete for storage tank floor.

ADJOURN

Commissioner Baldwin made the motion to Adjourn at 5:30 PM **Commissioner Randash** seconds the motion. 3 Ayes. 0 Nays. Motion carried unanimously.

RECESS

Friday, August 22, 2014

Date: August 22, 2014

Location: Fallon County Library Meeting Room

Attendants:

Fallon County Commissioners Deb Ranum, William Randash and Steve Baldwin;
Lynn Brackel, Bowman County Commissioner
Rodney Schaaf, ND Airport Board
Roger Meggers, KBHK Airport Manager;
Dale F. Hinton, member of Airport Commission;
Bill Lane, Fallon County landowner-rancher;
David Turch of David Turch and Associates, lobbyist;
Vera M. Abrams, contract secretary of the Airport Commission.

(1) Lynn Brackel presented a copy of a letter written by North Dakota Senator John Hoven to Michael P. Huerta, FAA Administrator.

(2) David Turch's update:

- Probably going to be some form of PRTC expansion
- Strategy up to now – put up any impediments in order to buy time
- Have not been successful in finding an inside friend in the FAA or DOD to gather data of what will happen before the agency does it.
- North Dakota Senator John Hoven and Heidi Heitkamp, along with the Mayor Dennis Johnson of Dickinson, have been helpful.
- Montana Representative Steve Daines and Montana Senator John Tester have contributed also; Senator Walsh is a lame duck.
- Possible appropriation committee help.
- Next: put together a political roundtable of senators, representatives, DOD, no public. A session to determine what each side really needs and why they need it. Difficulty with that: getting a time when both legislative branches are available. Election years make it difficult to get all the players together at the same time in the same place. Time frame now: branches sit for 12 days then break for election and reconvene after elections to adjourn for the year on 12/12/14.
- No percentage in attempting to tell the USAF what they should do. They need to communicate their own needs; we need to respond to that.
- Bill Lane communicated that, according to a speaker from a 2010 meeting, the best alliance may be with the Tribes.
- Turch stated that he has had no contact with Tribes as yet, maybe someone in his office has. Turch has no valuable contact with the Sioux but a couple of good contacts with the Crow.
- Question from Roger Meggers: any feel for when the USAF will issue its decision? Turch feels it is not likely that the MOA will be killed. A possibility exists for rescinding funding via Senator Tester and the appropriations committee.
- Valuable contacts: Vic Tambone and Frank Campbell, men with military backgrounds.
- Possible ally: Linda Sanchez
- Summary: Turch has made progress. Game far from finished. Will confer with Tribes. Firm has a good plan in place but staying flexible. Action will depend on the Record of Decision handed down from FAA.

ADJOURN

s/Deb Ranum, Chairperson

ATTEST:

s/Brenda J. Wood, Clerk and Recorder