

Monday, June 2, 2014

9:00 AM CONVENE

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

Museum Roof-Quotes to re-roof the block Museum building were received from Griffith Steel. Griffith Steel submitted quotes to shingle or place metal roofing. The Commission agreed to place shingles on this building at a quote of \$10,500 which includes material and labor but does not include the building permit and tipping fees.

Purchase Agreement-Commissioner Ranum signed, as Chairperson, the Purchase Agreement between Mid-Rivers Telephone and Fallon County for the continued telephone service via T1/PRI (Per trunk connection) in Baker for a 5 year period.

GRANT OF EASEMENT-The Commission signed the Grant of Easement between Roderick J. Cooper Estate and Fallon County for construction of the Dry Fork Creek Bridge.

RESOLUTION

Commissioner Baldwin made the motion to pass Resolution 6-2-2014 calling for a public Road Abandonment Hearing. Commissioner Randash seconds the motion. 3 Ayes. 0 Nays. Motion carried unanimously. The Resolution is filed in the Clerk and Records office.

10:05 AM Bobby Wiedmer, Road Foreman and **Alba Higgins**, Shop Foreman

Cattle guard-Albert Paul purchased a cattle guard. Don Rieger, Father-in-law does not feel his Son-in-Law should have had to pay for it. After much discussion with Bobby, the Commission still feel the cattle guard was rightfully paid for by the Landowner.

Cattle guard-Mike Gunderson wants to remove fence and place a cattle guard on DuCharme Access. The Commission stated Mike will have to pay for his cattle guard as well.

Pickup-Bobby found a pickup to replace the pickup he is currently driving. The cost would be \$35,500.00; would like to place running boards and a grill guard on the pickup at an additional cost of \$1,500.00. The Commission granted permission to proceed. The pickup Bobby is currently driving will be given to the Ambulance Department for the Director to drive. Bobby stated the radio in his current pickup would need to be changed because it is not encrypted for HIPAA purposes. The Commission will visit with the Ambulance Director and his Board to make a decision on the radio.

Bobby stated he would be gone Wednesday and Thursday of this week.

Fairgrounds Road Ditch-Discussed the State Right of Way by the Fairgrounds. Bobby stated he does not feel rock alone will repair the issue. Bobby feels we could get some dirt from the lake, seed and lay a coconut blanket. After that is completed the rocks could be placed at the ends of the culverts. Bobby stated he would stop and pick up the coconut blanket on his way back from Billings.

Choat Pit-Bobby stated the pit is empty; will haul dirt to the Choat Pit so they can get it reclaimed as soon as possible. The Landowner understands the County will reclaim it as soon as possible so have no concerns.

Buerkle Pit-They are hauling from this pit to various roads in the area.

Cold Mix-They will haul cold mix tomorrow to patch various roads (i.e. by the radio station and gazebo road). Will check to see if any is needed for the cart paths at the Golf Course.

Alley-Discussed the alley behind Lyle Neary's; this has also been discussed with the City. Both entities will work on a resolution for the drainage.

Radio Tower Road-This Road meanders past Frank and Lanita Bondell's. Spencer Huether, Road Technician stated the County has a Petition for this road. Also, during the Road Hearings the public did not want to close this road. The pipeline company's want an easement to this road. It was asked if the pipeline ruins the road; who should pay for the cost of the repair. Discussed the need for road haul agreements and documentation.

Tree Chipper-Repaired

Various Departments-Have vehicles that need servicing/maintenance and some that need new tires.

Impala's-Discussed selling them at auction.

Lean-to-Commissioner Ranum asked why the Road Department never placed the lean-to at the County shop. Alba and Bobby explained they were not able to place it here due to the location of the gas line.

10:55 AM Jody Strand, Museum Curator and **Karen Banister**, Museum Assistant

Introduction-Met to introduce Karen to the Commission.

Lambert House-Mark Soderquist of Terry, MT finished painting the Lambert House.

Donations Monies-The money was used for floor jacks for the Museum and to paint the Lambert House. \$431 was the only tax payer money used for those two projects.

Sprinkler Head-If Joe (Outside Maintenance) moves a sprinkler head, the Lambert house would not get sprayed and this will help to keep the paint on the building.

Assistant-It's June 1st and everything looks great with Karen's help. Karen left the discussion.

CLOSED-PERSONNEL

PAYROLL AND WITHHOLDINGS

The Commission reviewed timesheets and payroll and withholdings in the amount of \$430,107.04 and they are filed in the Clerk and Recorder's office.

COMMISSIONER BUSINESS

Board Appointment-The Commission received a letter of interest from **Gary Gorder** for the Shooting Range Board. Commissioner Baldwin made the motion to appoint Gary Gorder to the Shooting Range Board. Commissioner Randash seconds the motion. 3 Ayes. 0 Nays. Motion carried unanimously.

Out of the Office-Commissioner Ranum stated she would be gone on the 16th of June.

Lobbyist-David Turch stated he would be in Baker to meet with the Commission on Friday, June 13th at approximately 4:00 PM. This would be to Lobby for Fallon County against the Powder River Training Complex.

11:15 AM-The Commission started to review and approve the May, end of month claims.

11:30 AM-Ken Andersen, Contractor who will be doing the seismic permitting for Denbury. Downsized Phase 1 from 80 square miles to 44 square miles. The Survey crew will start about the middle of this month. They are waiting for the sage grouse (leks) restrictions to go down to ½ mile. Randy Tunby is the lessee on the County owned land which will be surveyed. The County land has been decreased from 595.6 acres to 298 acres at \$5.00 per acre or \$1,490.00. The Commission asked about the CO2 project. Ken stated he did not have much knowledge of the CO2 but felt this was baseline images before CO2 Injection.

Ken stated he would work with the Landowners and Denbury to keep the communication going. Commissioner Ranum initialed the changes to the lease.

12:00 PM The Commission ordered lunch and stayed to work on claims approvals.

2:30 PM The Commission completed reviewing and approving May, end of month claims in the amount of \$641,235.88 and they are filed in the Clerk and Recorder's office.

3:00 PM Brenda Wood, Clerk and Recorder joined.

3:00 PM Public Road Abandonment Hearing

PRESENT Spencer Huether, Road Technician; Alice Heiser and Judy Zumbrun

Complete minutes of the Hearing are on file in the Clerk and Recorder's office.

3:12 PM Commissioner Ranum closed the Hearing and all Resolutions were signed with the exception of G81. Resolutions 6-2-2014(1) through 6-2-2014 (11) are filed in the Clerk and Recorder's office.

3:40 PM Chuck Lee, DES/911-stopped by to give an update on various projects.

4:00 PM PUBLIC COMMENT

Scott Rabbitt, Park Supervisor and **Ryan Rittal**, Stahly Engineering met to discuss writing up the plans for the Splash Park to be sent to the State of Montana. Ryan felt it would take approximately 35 days to complete the plan and the State of Montana has 90 days to approve the plans. At this time they may only have time to get the excavation done, unless we have a late summer.

4:30 PM MINUTE APPROVALS

Commissioner Baldwin made the motion to approve the March 24, 2014 minutes as submitted. **Commissioner Randash** seconds the motion. 3 Ayes. 0 Nays. Motion carried unanimously.

5:00 PM RECESS

Commissioner Randash made the motion to recess until Wednesday at 9:00 AM due to Election Day on Tuesday. **Commissioner Baldwin** seconds the motion. 3 Ayes. 0 Nays. Motion carried unanimously.

Recess

Tuesday, June 3, 2014

The Commission was not in session due to Election Day.

Wednesday, June 4, 2014

9:00 AM RECONVENE

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

Bakken Clean Energy Project Progress Report

PRESENT Nicole Shuler, Chamber Director; **Mona Madler**, SMART Director; **Desiree' Thielen**, Planner; **Andrew Kacic**, Quantum Energy; **George Bailey** and **Don Wood, Jr.**

Mona Madler-Introduced everyone and talked about why they were meeting with the Commission.

George Bailey-Discussed the possibility of bringing a power plant to our area; a data center; capturing and deployment of CO2.

Andrew Kacic-Quantum is proposing to develop a 20,000 barrel per day diesel refinery. By removing the transportation component cost of moving crude to remote refineries combined with the ability to distribute high-demand diesel to the market within the immediate vicinity of the proposed refinery, creates margins sufficient to justify the capital investment.

The hope is the refinery will bring lower diesel fuel costs for the area agriculture producers and other businesses; lower the volatility of Bakken Crude by removing some of the natural gases prior to transportation which will lower the cost of propane locally; Capture and use the CO2 (Greenhouse gases) for enhanced oil recovery to produce oil and gas in the region and help meet the estimated need for an additional 1500 MW of power in the Bakken over the next decade.

Desiree' asked what use CO2 would be. George stated it can be used for fertilizer and the refinery uses 150 gallons per minute for fire suppression and cooling. The gray water is recycled and used and can be used to assist with wastewater treatment.

9:40 AM Chuck Lee, DES/911 joined the discussion.

Affordable Housing-The group discussed the availability to have affordable housing.

Nicole-OSHA Safety Trainings may be a course offered in Baker, Ekalaka and Plevna. Nicole explained the youth would graduate with those certificates in hand.

Commissioner Baldwin-what would the output of CO2 be from a plant of this size? George stated it would be approximately 150 million tons per year.

They still have to get permitted in Montana and find an appropriate location.

10:20 AM DISPATCH/SHERIFF CONSTRUCTION MEETING-The Commission attended the above meeting.

12:00 PM The Commission attended the **Health Board Meeting** at Fallon Medical Complex.

NOON RECESS

1:15 PM RECONVENE

PRESENT Deb Ranum, Chairperson; **William L. Randash** and **Steve Baldwin**, Members

1:45 PM Brenda Wood, Clerk and Recorder joined.

1:45 PM David Mosser, KLJ

Projects-David was meeting to follow-up on some projects KLJ had completed for the County. Checking to see if the Commission was satisfied with the work completed by KLJ on the Man camp and

the by-pass projects. David also wanted to refresh KLJ's contacts with the Commission and to keep the Communication lines open.

1:50 PM Desiree' Thielen, Planner joined the discussion.

Desiree' discussed the meeting with the Montana Department of Transportation regarding the Corridor Study. It was discussed the first year will be to complete the study.

The Commission feels KLJ does a good job of communicating on any projects they are involved in.

Desiree' stated the only complaint they had was regarding the time lags in the Growth Plan.

2:00 PM Fair Board Appointment

2 letters of interest were received: **Jerrid Geving** and **Kevin Dukart**. Upon review and discussion of the letters received Commissioner Baldwin made the motion appoint Jerrid Geving to the Fair Board to replace Don Selle, who resigned. Commissioner Randash seconded the motion. 3 Ayes. 0 Nays. Motion carried unanimously. The Commission also wanted to thank Don Selle for his years of dedication and service to the Fair Board.

3:00 PM DEPARTMENT HEAD MEETING

The Commission attended the Department Head Meeting.

4:00 PM QUARTERLY SAFETY MEETING

The Commission attended the Safety Team Meeting.

Grandstand Re-roof quote-The Commission approved the re-roofing of the Grandstands in the amount of \$59,700.00. This includes material and labor to reroof the grandstands; including removal of old sheeting and installation of new roofing; attaching netting to roof purlins where necessary.

RECESS

Commissioner Randash made the motion to recess until Friday, June 6, 2014. **Commissioner Baldwin** seconded the motion. 3 Ayes. 0 Nays. Motion Carried unanimously.

RECESS

Thursday, June 5, 2014

The Commission was not in session as the Commission was in attendance of the **Eastern Montana Energy Meeting** in Miles City, MT.

4:30 PM The Commission returned early.

Agreement-Commissioner Ranum signed, as Chairperson, the Professional Services Agreement with Stahly Engineering & Associates, Inc for Engineering the Spray Park Project discussed on June 2, 2014. Total maximum contract amount is \$14,374.00.

Friday, June 6, 2014

8:45 AM RECONVENE

PRESENT Deb Ranum, Chairperson; **Steve Baldwin**, Member and **Brenda Wood**, Clerk and Recorder

COMMISSIONER MEETING

8:55 AM Don Rieger

Cattle guard-Don expressed he did not feel it was right that his Son-in-Law had to pay for the cattle guard on the road off of the South Ismay Road. There was no fence before it went from CRP to farm ground and the road is used by multiple other landowners not just the Rieger's.

Commissioner Baldwin stated if the existing policy does not work, the policy needs to be changed and not used to accommodate just a few.

9:05 AM William L. Randash, Member joined.

Don stated the fence was paid for by Albert Paul (Son-in-Law) and he should not have had to pay for the cattle guard as well. Don discussed the open range laws and the policy was put into place so people couldn't remove or neglect fences by placing cattle guards. They could not place a gate because one

side is fenced but not the other. Don reiterated Albert paid for the fence and should not have to pay for the cattle guard. Don stated the road is used by the Higgins', Schuetzle's; BLM; Mid-Rivers; Knuth's and Scott and Cody Rieger's.

The Commission will revisit the policy.

Don stated it is not fenced along the road, they use the front portion for hay ground. No one lives there.

The Commission stated they will review the road as well.

The group discussed other roads with somewhat similar situations.

9:30 AM Don left the discussion.

ROADS

Radio Tower Road-This road was further discussed from previous day. The Road is petitioned, not closed and the oil company does not need an easement.

MOU-Powder River Training Expansion-The Commission would like Roger Meggers to get on the agenda for the Oil/Coal and Gas Meeting to explain all the issues to everyone.

11:00 AM Jon Brosz, Brosz Engineering and **Desiree' Thielen**, Planner/Flood Plain Coordinator

Jon discussed various projects.

Jon is working with Desiree' on the **Final Review of the Denbury Plat**.

Easements-Working to get all easement signed for the bridge projects. Also working with the Montana Department of Transportation on the Ag Lane Bridge and the Lagoon Projects.

Water Control Gates-Upper Dam Project-Jon discussed the operation and maintenance manual received from Whippis, Inc. for the Upper Dam Project.

Jon left the discussion

11:20 AM Desiree' discussed proposed wage and job description upgrades. The Commission stated they will review further for budgets.

Letter of Understanding-The Commission signed a new Letter of Understanding in conjunction with **Fallon County, Eric Kary**, Golf Course Supervisor and **Target Logistics** to relocate the irrigation water main, for the Golf Course, from the property leased to TransCanada for the Man Camp.

11:30 AM Darcy Pankratz

Training-Met to let the Commission know she plans to go to County Attorney training in July.

Discussion-Darcy will call with information or heads up for upcoming items and carryovers into next year. She has been in touch with a few area County Attorneys. Being the County Attorney will be her first priority but would also like to assist the City of Baker if they are in a lurch. Darcy further explained, depending upon the issue she would help if it does not conflict with County issues. The Commission stated that would not be a problem as far as they are concerned.

Budgets-would like to review the County Attorney budget later.

Hiring-Darcy plans to hire someone to assist her toward the end of the year.

RECESS

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

Noon Recess

1:15 RECONVENE

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

1:15 PM Nicole Benefiel, Justice of Peace

Budget request and Cosmetic Office changes-Nicole would like to move the Justice of Peace office to the City Court Office area with the additional space which was Family Services. This way Community Service would be able to come in through the old Family Service Office accessing the Hallway and not the Courthouse. Sometimes the Community Service Officer meets in the evenings with various individuals.

Commission does not have a problem with Nicole moving across the hall and asked if this was discussed with the City of Baker. Nicole will be meeting with them to discuss this.

Doors-Would like two (2) new security doors similar to what the Sheriff's Office had or currently has (glass window with opening). Discussed risk assessment of the courthouse due to safety issues. This alleviates two offices being set up the same way.

Staff-Would like extra office help (secondary clerk). The law provides that the office will remain open while they are in the courtroom. For JP Court that would be 10-15 hours (Wednesdays 2-5 and Thursdays 11-5). So, for sure Wednesdays and Thursdays. It is frustrating to work without enough staff. It is a necessity to help with the workload and for security reasons.

If she cannot have extra help she will take it to the next level by taking it to the District Court Judge for a decision (allowed by law). Nicole stated that is how strongly she feels about this.

Community Service-Would like a larger vehicle for Community Service such as a super cab. It does not have to be new, it could be recycled. Would also like some type of wireless panic button when the Community Service individual is out working with these individuals.

Microfilm Court Documents-Nicole would like to check into the cost to digitally scanning her court documents for storage purposes.

Training-Nicole wanted to thank the Commission for allowing her to go to Glendive and sit in on the trail for training purposes.

The Commission will take everything into consideration.

2:00 PM Shooting Range Building Project Bid Opening

PRESENT Richard Griffith and Mike and Deb Kirschten

Commissioner Ranum read the bid aloud. Only bid received was from Griffith Steel; Bid bond was in place. Total bid for materials and labor was \$1,068,000.

It was explained there are some things that were not included in the bid. Mike and Deb are in hopes they can get some grants (\$45,000 for items for training room, etc.).

Commissioner Randash made the motion to accept the bid from Griffith Steel for materials and labor to build an Indoor Shooting Range Building in the amount of \$1,068,000. Commissioner Baldwin seconds the motion. 3 Ayes. 0 nays. Motion carried unanimously.

Richard stated he plans to start pouring the floor in July.

Grandstands roof-Felt the Grandstands roof would be completed by the end of July. The quote including re-installation of netting was \$59,700.00. This was approved earlier by all the Commissioners as well.

3:00 PM Salary Commission Meeting for elected officials

PRESENT Debbie Wyrick, Payroll Clerk; Jeraldine Newell; Peggy Hagadone, Salary Commission members and Rich Batterman, Legal Counsel.

Various informational papers were passed around to those present.

Health Insurance-No increase to the employee

PERS (Retirement)-No increase to the employee

DISCUSSION

Last year the elected officials received \$1.00 per hour increase, plus longevity; Deputy's received 90% of that or .90 cents per hour increase and most all others received .85 cent per hour increase.

MOTION

Jerrie made the motion to increase elected officials wages by \$1.00 per hour. Peggy seconds the motion. No Discussion. All Ayes. Motion carried unanimously.

3:15 PM Everyone left the discussion with the exception of Debbie.

Weed-Changed from licensing their employees to certifying employees due to change in testing procedures.

Fair Board-Would like to move ticket takers/ticket sellers from \$10.50 per hour to \$12.00 per hour.

Assistant Road Foreman-Would like this person to receive the increase year round.

Planner-No Decision

JP-Extra person-Possibly

Will further discuss Department requests etc.

4:00 PM Mike Kirschten

Job Descriptions and Wages for the Shooting Range

Mike brought information pertaining to staffing the Shooting Range by supplying job descriptions and recommended wages for the positions of Shooting Range Supervisor, Safety Officer and Maintenance.

Commissioner Randash felt the Shooting Range club would get people to work. Mike stated he did not think he ever stated that; that was only for their needs and Law Enforcement would provide for their needs. Mike stated he told Brenda there was an error in the way that was stated in the paper and it should have been corrected. The Commission stated the way it was stated in the paper is the way they remembered it was going to be handled. Mike stated that was not how he explained it.

Commission asked how many employees Mike was proposing. The first meeting with the Commission had asked for 2 or 3 part time employees at \$10.00 per hour. The employee would have to pay to receive the credentials to be a Range Master the 1st time and the County would pay for any updates.

Dave Kono is willing to take the Range Master course to cover the Shooting sports and Shooting Range Board needs.

Mike stated they have been approached by several organizations to help with funding or whatever they can such as Marmarth; Friends of NRA is interested in assisting with a grant, etc.

Mike left the discussion 4:15 PM

4:15 PM Further discussed the Salary Board Decision/Schedule, etc.

4:20 PM Returned to Salary Discussion

Further discussion on salaries for various departments will be discussed at a later time. Not enough time today, i.e. Range Masters, JP, Planner, etc.

4:30 PM Park Cameras-The Commission made the decision to insure the cameras at the Park.

Pharmacy Plan-The Commission will sign the new Pharmacy Plan on Monday.

Insurance Plan Document-Decide if they want to include same sex marriage into the plan document. This is not mandated so it is up to the Commission. Need to know by Monday. The only thing is you do have to acknowledge it if the employee came from a state that does include it. The Commission will think about it and decide Monday.

REPORTS/MINUTES/FLYERS

Landfill Revenue Report-May 1-May 31, 2014-405 tickets; 1276 tons taken in; 1427.37 cash sales; 57,859.55-Charge Sales; 1.27 late fees; 65,499.79 paid on account.

Plevna Rural Fire District-May 8, 2014-Warrants issued in the amount of \$16,176.43

Baker Rural Fire District-May 1, 2014-Warrants issued in the amount of \$18,909.98

MISCELLANEOUS REVENUES

Denbury-March/April, 2014 Oil and Gas Royalties-\$10,041.94

Continental Resources-May, 2014 Oil and Gas Royalties-\$10,966.63

Century-Leased Property-June, 2014-\$400.00

Goldenwest Electric Coop-Capital Credits-\$104.30

Baker Air Service-May Aviation Gas Sales-\$238.01

Southeast Electric Coop-Capital Cred Refund-\$58.65

State of MT/DOT-June, 2014 Fuel Tax Allocation-\$4,135.39

MISCELLANEOUS

Mosquito Spraying-The Commission was notified by the City of Baker of the preparation of spraying for the Mosquito Control Season. The City will use a chemical similar to what was used in the past which is a non-restrictive chemical. However they will adhere to an aquatic set back of 100 feet. Kevin Dukart, Licensed Sprayer made the decision not distribute the larvacide this season due to the uncertainty on permitting for placement in waters.

In the past the County has contributed 50% of mosquito control costs for supplies, including labor. In recognition for the amount of funds the County has given to the City for various projects these past years the Council agreed to discontinue to charge for labor for mosquito control in the County Areas.

Upper Baker Lake-The County received notification from NRCS (Natural Resources Conservation Service) for the approval to delete cured-in-place pipe and add internal pipe joint seals to the principal spillway pipe for the Upper Baker Lake Project. The substitution was the result of high bids for the Cured in Place pipe. The approval was contingent upon 6 criteria.

Encroachment Permit-#601 for Hiland Crude LLC to bore Tonquin Road in Sections 3-7-58 and 34-8-58 with a proposed pipeline was signed by Commissioner Baldwin.

Intergovernmental Agreement-The Commission signed the Agreement between the MT Department of Public Health and Human Services and Fallon County for an Intergovernmental, one-time lump sum payment in the amount of \$240,762.20 for the Fallon County Medical Complex. The County shall make an intergovernmental transfer of monies to DPHHS in the amount of \$179,108.60.

Motor Vehicle Graveyard Inspection-Commissioners received the Motor Vehicle Graveyard Inspection for April 23, 2014 from the MT DEQ-Motor Vehicle Recycling & Disposal Program. The yard passed all inspection criteria.

ADJOURN

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

ADJOURN
s/Deb Ranum, Chairperson

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