

FALLON COUNTY COMMISSIONER PROCEEDINGS
Held in the Courthouse Library Basement (Due to Remodel)

Monday, May 5, 2014

9:00 AM CONVENE

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

9:05 AM Dale Butori, Weed Supervisor

Baker Lake-Dale discussed weed control for the Baker Lake; the Commission would have to shut the Upper Lake down so as not to push the chemical through to the overflow. The Commission stated they cannot shut the Upper Lake down due to the scheduled project of replacing the headgate and relining the channel pipe. Dale would suggest not placing the aerators in the lake as of this time due to weed control.

Weed building addition-They will start as soon as there is a break in the weather. The water hydrant has been installed but it is not connected to City service as of this time.

9:15 Commissioner Discussion

Road to Arlee Fried's-The road in question is Petitioned so there is no way that adjoining Landowner's can shut the road down.

Barry Damschen, Barry Damschen Consulting-Landfill Engineer was placed on conference call.

Land Purchase-An offer was made to Craig and Wanda Pinnow for the land where the Landfill now sits.

New Area-The Commission ask Brosz Engineering to complete a survey on the new Landfill area so as to locate the pipelines on the County property. The Commission explained since Barry had earlier explained he may retire, the Commission felt they would try to get some assistance from Brosz. Barry did not feel he was going to give up his Landfill clients as that is what he enjoyed most. The Commission stated Brosz's Engineer did not feel the County would have to re-permit on the County's property. They feel there is ample room, even with the pipelines, etc. Barry does not feel that is ample information. Barry wants Brosz to get in touch with him. Barry feels the County will still need to go to the DEQ and complete a new plan.

ROAD RESOLUTION

The Commission signed Resolution 5-5-2014 calling for a Road Abandonment Hearing. Resolution is filed in the Clerk and Recorder's office.

10:00 AM Bobby Wiedmer, Road Foreman and Alba Higgins, Shop Foreman-Road/Shop/Bridge Report

Walt Hanratty Road-Mr. Hanratty would like the County to start maintaining his road now. There is a rusted culvert and a narrow cattle guard on this road.

Fletcher Creek Road-Floating bridge-There is no way to cross the creek and is needed to access other landowner's properties.

Jarrett Hadley-Bridge by MDU is washing. Bobby stated this will need more gravel; this was repaired three (3) weeks ago.

Choat Pit-They are hauling from the Choat Pit to the roads in that area.

Road Work-All 6 blades are blading roads.

Plevna Fire Hall-Discussed repairs to the door at the Plevna Fire Hall - Bobby is waiting for Richard Griffith to come and look at it first.

Culverts-The City will repair the culverts by Lyle Neary property.

Training-Discussed various members of the crew attending crusher training and flagger training; tomorrow is fire training and the 21st Bobby would like the entire road crew to attend blade training. Permission granted for all necessary to attend various trainings.

Landfill Training-Alba discussed the Landfill training he attended and felt was very good training. Alba feels there are others that should eventually attend the training.

Compressed Air-Discussed the need to clean out the machinery at Landfills. They could purchase a pull behind compressor or take the equipment to their shop to blow out the machinery to keep it clean and free of debris.

Pickups-1992 Ford-Would like to use to pull behind the blades; would prefer 4 Wheel drive for this purpose. **Shop pickup**-would like to replace the shop pickup. They found one at Denny Menholt for \$29,973. Permission granted to purchase. **Road Foreman pickup** – would like to purchase a new Road Foreman pickup due to the mileage. Would be a good pickup for another Department.

County Auction-Discussed placing some of the older vehicles in the County Auction such as the Impala's.

Maintenance-Undersheriff Pickup and Acadia need tires.

Budgets-Split the purchase of **blades**; ½ FY15 and the balance FY16. **Backhoe**-Prepare to go to bid. **Bridges**-FY15-Other than the major bridges, possibly replace bridges by Tronstad's, Jarrett Hadley and behind the MDU plant.

Easements-Bob Gray does not want a County Easement for his road.

Trucks-The Sterling (196) and (2) Macks need to be traded or sold at the next County Auction.

CAT-CAT may start implementing a truck rental plan.

Titan Machinery-BOMAG-Closing all stores (be wary).

Dozer-going to diesel/electric

Shell Oil Road –Fixed the issue.

2004 Sheriff Pickup-Discussed placing in the Auction also.

Wang Pit-Working on permitting this pit

Neumann Pit-Mark Sieler has started stripping it.

Training-The State will no longer be putting on the crusher training so there will be a charge for trainings.

APRIL TIME SHEETS

The Commissioner reviewed and approved April, 2014 time sheets and payroll and withholdings in the amount of \$412,034.46 and they are filed and Clerk and Recorder's office.

APRIL ACCOUNTS PAYABLE

The Commission approved the April, 2014 End of Month Claims in the amount of \$929,777.00 and they are as filed in the Clerk and Recorder's office.

RECESS

Commissioner Randash made the motion to recess. **Commissioner Baldwin** seconds 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 Bobby Wiedmer, Road Foreman and **Spencer Huether**, Road Technician met to discuss road issues.

1:45 PM Rich Batterman was contacted regarding various roads.

The Commission could pass a Resolution stating the County is no longer taking roads unless it is stipulated by the State of Montana.

Easements can have conditions because an easement is considered a contract. Rich stated the Commission does not have to take a road if it is not in the public's best interest. The County is under no obligation to maintain a private drive. Bobby stated some roads are in marginal condition. The County can evaluate on a case by case basis stating the reason why.

1:45 PM Desiree' Thielen, Planner met to discuss Certificates of Surveys and **Eric Kary**, Golf Supervisor met for his scheduled meeting.

2:00 PM Tabled the Road discussion until later.

2:00 PM Commissioner Ranum signed the Griffith/Schell Plat and the Kirschten COS. Both will be placed of record.

2:05 PM Eric Kary, Golf Supervisor

Irrigation line-Discussed granting permission to move the irrigation line located in the man camp area. Eric will take the agreement to the County Attorney to review first.

Workman Cart-Would like to purchase a new workman and give the old one to the Road Department. The cost would be approximately \$9,000. Permission granted.

2:30 PM Joe Janz, Outside Maintenance and **Lynda Herbst**, Inside Maintenance

Joe would like to move the garbage dumpster from the back area of the Courthouse to the alley across the street from the Courthouse. Joe also stated Lynda could dump garbage in the construction dumpster while available.

Lynda stated she averages 2 to 3 bags of garbage per day from the Sheriff Department and an additional 2 to 3 more bags from Dispatch.

Joe feels the dumpster should be moved from the sidewalk and the most logical place is the alley across the street. Permission granted to move the dumpster to the alley across the street.

2:45 PM Barb Lechler, Fair Manager and **Don Buerkle**, Fair Board Chairman

Bobcat-The bobcat from the Hospital could be used to remove manure, etc. at the Fairgrounds. They would especially like to use it during the Fair and it would be used by Joe Janz, Barn Manager, not the youth.

Board Member-Don Selle resigned from the Fair Board.

3:00 PM Road Abandonment Hearing

Held in the Basement Courthouse Library at 3:00pm on May 5th, 2014

PRESENT: Commissioner Ranum, Chairman; William L. Randash and Steven Baldwin, Members; Brenda Wood, Clerk and Recorder; Spencer C. Huether, Road Technician; Roy Rieger, member of the public.

Commissioner Ranum called the hearing to order at 3:00 PM and read Resolution 04/03/2014 aloud. Detailed minutes are recorded and filed of record in the Clerk and Recorder's office.

3:15 PM Closed the Hearing.

The Commission signed Resolutions 5-5-2014(1) – 5-5-2014(11) which are on file in the Clerk and Recorder's office.

Encroachment Permit

#598-Denbury Resources-Commissioner Ranum signed granting permission to bore the Anticline Road in Section 23-8-59 for the purpose of an oil pipeline.

Extension Agent Report

The Commission reviewed Elin Westover's Extension Agent Report. The Commissioner approved the quote to purchase a Speaker System for the Livestock sales in the amount of \$1,619.00.

4:00 PM Clayton Hornung, Mayor-City of Baker; Commissioner Ranum excused at 4:00 PM

Box Culvert-Susan Newell contacted Clayton regarding water issues caused by the creek channel and the culvert.

Creek Channel-Commissioners are waiting for the Fallon County Abstract to complete a title report regarding ownership of the creek channel and those around the creek channel. Discussed needing

approval from proper authorities to do any work in the creek channel due to the Flood Way and Flood Plain.

Old Vacant Building-Downtown Baker-The Fire Marshall was down today; the City is working on trying to get items removed from the vacant building on Main Street.

Airport Concerns-Commission stated the Airport was contacted by the Dickinson Press regarding the Powder River Training Complex.

Vehicle Impound Area-They plan to locate this West of the City Shop. Hope to have the fence up in a week or so.

Clean-up Week-This week is Clean-up week.

Planning Board-Discussed the type of Planning Board we have; feel it is a County Planning Board with City Representation.

Planner-Discussed possibly hiring an Interim Planner for City Zoning. Commissioner Randash and Clayton feel a joint Planner would be the best and the City of Baker and Town of Plevna could share in the costs. Discussed a starting point regarding what amount to use such as a lump sum amount.

Tuesday, May 6, 2014

The Commission was not in session due to Fire Training at the Baker Rural Fire Department

Wednesday, May 7, 2014

9:00 AM RECONVENE in the Courthouse Basement Conference Room (Due to Remodel)

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

9:00 AM Desiree' Thielen, Planner and **Adam Thompson**, Surveyor met to discuss various plats.

Moss Minor Subdivision-Adam will speak to Toby Hurley regarding this Subdivision. One of the questions is the approach off the Highway. Feel they can utilize the County Road and have the access issues resolved.

Junso Preliminary Plat Review

DEQ-Have received DEQ approval for this plat.

Access and Easement questions were discussed as well.

Conditions-There are several conditions for the Junso's to meet but Adam stated he has no problems with the other conditions.

Recommendation-Desiree' recommends Preliminary Approval per Planning Board recommendations plus 911 address for 5AP1A. Desiree' will make the necessary changes.

Motion-Commissioner Baldwin made the motion to grant Preliminary Approval of the Junso Amended Plat of Lot 5AP of Fairway Acres Subdivision, following the recommendations of the Planning Board, plus they need to receive a 911 address for 5AP1A. **Commissioner Randash** seconds the motion. No further discussion. 3 Ayes. 0 Nays. Motion carried unanimously.

Planning Board Member

The Town of Plevna recommends Michele Gray be their Representative on the Planning Board. The Planning Board also sent a letter voting unanimously to have Michele appointed to the Board.

Commissioner Randash made the motion to appoint Michele Gray to the Planning Board as Representative for the Town of Plevna. Commissioner Baldwin seconds the motion. 3 Ayes. 0 Nays. Motion passes unanimously.

Sheriff/Dispatch Remodel Meeting

The Commission attended the Sheriff/Dispatch Remodel Meeting and then left for lunch when finished.

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 Tom Kachel, Landfill Manager Monthly Report

Landfill/Container Site-Presented the Reports for the Landfill and Container Site for the Commission to view. Container Site is very well attended since there is no longer a fee (between 2 and 43 loads hauled each Saturday in April and first Saturday in May). Collected \$46,270.18 Tipping Fee revenues at the Landfill (April).

Accounts Receivable-has collected several old debts from various Companies in Fallon County and area.

Surfacing-Tom stated he needs more surfacing (scoria) at the Landfill.

Road Repair-Tom stated the culvert has been ordered so the road can be repaired.

Seasonal Laborer-A J Gray was hired as seasonal help.

Land Purchase-The Pinnow's want time to review the offer for the purchase of their land used as the Landfill.

Landfill Expansion-Brosz Engineering needs to contact Barry Damschen regarding the information they are working on for the expansion. Tom stated Brosz had presented him with a plan for expansion of the Landfill on Friday.

Inspections-Ordered Daily Inspection booklets for all of the Landfill equipment.

Pits-E & P Pit almost full; will need to dig a new pit so will get a quote.

Diesel Fuel Tank-They need to move the diesel fuel tank to the new shop. Commission discussed building a berm around it. Tom was thinking about using a large tank instead but will check to see which is the most recommended.

COMMISSIONER MEETING/REVIEW/APPROVE FOLDER ITEMS

MISCELLANEOUS

The Commission was notified one of the stall renters stated there would be no place to exercise their horses due to the seeding of the race track.

The Commission was notified by the IRS, an audit would be conducted of Fallon County's 2012 calendar year financials, payroll and accounts payable.

The Commission received notice of a public hearing to be held by the City of Baker on May 6, 2014 for the purpose of consideration of an increase in rates for public water, sewer and refuse to consumers.

The Commission received a copy of a letter written by Roger Meggers, Baker Air Service to Governor Steve Bullock regarding expanding the Powder River Military Operations Area in Southeast Montana. Roger's letter discussed the many concerns relating to the issues it will cause the Baker Airport as well as other Airports.

Commission was notified of numerous power bumps when contractor was working on the Courthouse Generator. This caused the panel on the elevator to burn up. The Commission instructed Debbie Wyrick, Deputy Clerk and Recorder to submit to the Insurance.

MISCELLANEOUS REVENUES

Century-May, 2014 Land Lease-\$400.00

Baker Air Service-County Portion of Aviation Fuel Sales for April, 2014-\$272.66

State of Montana-4th Quarter, 2013-HB758 Oil, Gas and Natural Gas Distribution-\$51,638.70

Denbury-February/March, 2014 Oil and Gas Revenues-\$10,549.12

MISCELLANEOUS REPORTS/FLYERS/MINUTES

Plat Status Report-5-7-2014-16 Plats/COS's in various stages of progress.

Baker Rural Fire-April 3, 2014 BRF Minutes- Warrants paid in the amount of \$6,580.80

Plevna Rural Fire-April 10, 2014 Minutes-Warrants written in the amount of \$29,444.54

Council on Aging Flyer-May, 2014

Eastern Plains Economic Development Corp-April 23, 2014 Project flyer.

Fallon County Detention Center-April, 2014-8 prisoners held for 125 days-57 Fallon County; 61 City of Baker and 7 Carter County. Total Revenue-\$525.00 from Carter County

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

ENCROACHMENT PERMIT

#599-Commissioner Randash signed Encroachment Permit #599 for Mid-Rivers to bore Airport Road for a Communication Line in Section 24-7-59.

JOURNALS

#461-Move Insurance Reimbursement from General Fund to Fair Fund

#462-Move Claim coded to an unused account to Care of Prisoners budget

#463-Move Claim from Solid Waste to Solid Waste Capital Projects

#464-Move Transfer from Baker Rural Fire to Baker Rural Fire Capital Projects, Baker Rural Fire Oil and Gas Accelerated and Baker Rural Fire Trust Funds.

#465-Voided lost warrant-\$12.00

BUDGET JOURNAL

#5-Transfers from Baker Rural Fire to other Baker Rural Fire Funds

#6-Reverse Journal #5 as Transfers should have been completed as a Journal Adjustment.

CLOSED/HIPAA

2:25 PM Jon Brosz, Brosz Engineering-Bridge paperwork and bid openings.

Coal Bank-Commissioner Ranum signed the paperwork for Coal Bank Bridge to be sent to the BLM.

2:30 PM Grass Seeding/Fencing Bid Opening

PRESENT Cody Rieger, Rieger Fencing & Contracting, Inc.

The only bid received was from Rieger Fencing & Contracting, Inc. –There were 15 bid items, all per acre or foot. Jon’s recommendation was to table until next Monday to present and review with the Road Foreman. Commissioner Baldwin made the motion to Table the bid received from Rieger Fencing and Contracting, Inc. for seeding/fencing until next Monday so the Road Foreman can review it as well. Discussion–Cody discussed having an issue finding the slough grass mix; could not find it until he went out of state. Jon will call and see if there is a supplemental mix that is less costly. Commissioner Ranum asked other questions pertaining to the bid. Commissioner Randash seconds the motion. 3 Ayes. 0 Nays. Motion Carried unanimously.

3:00 PM Upper Dam Bid Opening

PRESENT John Pela, Diamond J- Miles City.; **Blair**, Oakland Construction-Cartwright, ND

Jon recommends tabling the bids until they can check the numbers over and review. Commissioner Randash made the motion to table the bid for the repairs to the Upper Dam until next Monday, when the numbers can be reviewed and checked over. There was no further Discussion. Commissioner Baldwin seconds the motion. 3 Ayes. 0 Nays. Motion carried unanimously.

3:30 PM-Albert Paul met to discuss placement of a Cattle Guard.

3:35 PM-Scott Rabbitt, Park Supervisor, **Jon Brosz** stayed for the discussion.

Cement for parks-Scott stated he has concerns regarding the cement from the Redi-Mix plant being used at the Skate Park and Splash Park. Jon recommends Scott request Type 5 cement, 40,000-45,000 PSI, slump no more than 4” in the bid specs. Scott will do that.

4:00 PM-Truck Route Meeting

PRESENT Christopher Dorrington, MT DOT; **Lynn Zanto**, MDT Planning Administrator; **Carol Strizich**, MDT Planning; **Mary Grube**, Planning Department; **Clayton Hornung**, Mayor–City of Baker; **Tom Bruha**, Assistant Fire Chief–Baker Fire Department; **Randy Hoenke**, Baker Fire Department Chief; **Jon Brosz**, Brosz Engineering, Inc; **Carol Lambert**, District 4 Commissioner; **Jim Frank**, MDT Glendive District and **Shane Mintz**, MDT Glendive District Administrator.

Discussion

Traffic Study-Commissioner Randash led the meeting by stating Fallon County would like to see a Traffic Study be completed and is willing to contribute \$200,000 toward the study.

Intersecting Highways-Baker has two (2) Highways that intersect and with the expected increase in truck traffic, Commission made the decision to look at options.

Train-There are also train issues and are working through the trains not blocking the Railroad Crossings. Emergency Services in Baker are located on the South Side of the tracks.

Overpass-Commissioner Randash discussed a possible overpass/bypass 2 miles East of Baker. The State of Montana owns a section of ground out there.

Traffic-Discussed possible Rail-Spur by Beach and an On-Ramp North West of Baker (5 miles north of the Tank Farm). Most of the truck/car traffic comes from the East. Mary asked if using a truck route is a requirement. Shane stated, no, unless MTDOT takes over that road and it becomes Highway 12.

Corridor Study-Discussed completing a corridor study, similar to Culbertson; this allows them to look at various options.

Mayor-Clayton stated from his perspective it would help rid the streets of dirt; sharp turns by trucks; trucks hitting curbs.

Discussion also pertaining to environmental standpoints, looking at existing conditions, projected growth, assessing issues to come up with options, also do not want to hurt economic development.

MDT was given a copy of the Fallon County Growth Policy; the State of Montana would manage the study. Was asked what the probability in getting the corridor study. Hard to know. MDOT has very little funding in Construction, unlike North Dakota. Shane feels we will get some improvements and further explained this District gets about \$2,000,000 of \$10,000,000 so are very reliant on State Funding.

They will start by putting a scope of terms together; can do a count at the blinking light by getting a count of trucks verses cars; volume counts; % of trucks; safety data; growth policy; possibly a survey. They will then do some projections, public meetings and possibly contact trucking companies. They will find out which direction is the most needed 1st Street East to North or North to West; the oil impact study will be used as well. The Corridor Study takes approximately 1 year and they will start this summer. MT DOT would probably pay 80% and the County 20% and will have to do a funding agreement.

ADJOURN

Commissioner Randash made the motion to adjourn for the week. The Commission will attend the District Meeting in Miles City on Friday, May 9, 2014. **Commissioner Baldwin** seconds the motion. 3 Ayes. 0 Nays. Motion Carried unanimously.

s/Deb Ranum, Chairperson

ATTEST:

s/Brenda J. Wood, Clerk and Recorder