

**9:00 AM CONVENE**

**PRESENT William L. Randash, Chairman; Steve Baldwin, Deb Ranum, Members, Lani DeBuhr, Clerk  
FALLON COUNTY COURTHOUSE**

**8:55am- Dave Havens, Member of the Public, joined the meeting.**

**9:00AM COMMISSION REVIEW OF FOLDER ITEMS**

**AGREEMENTS-**

The Commission reviewed and Commissioner Randash, as Chairman, signed a Building Demolition Agreement with the City of Baker dated August 5<sup>th</sup>, 2015 agreeing to refund 50% of the tipping fees for the demolition of a burned house owned by Casey and Jodie O'Donnell.

**REVENUES-**

**Montana Department of Transportation, Road St Aid, Fuel Tax Rmb- \$4,131.21**

**CORRESPONDANCE/NOTICES-**

**MGC Consultants-** The Commission received a letter dated August 6<sup>th</sup>, 2015 from MGC Consultants regarding the Beach 2 Opencut Mine Operation that Wyrick Construction is doing and invited them to submit written comments about project if desired.

**Disaster and Emergency Services (DES)-** The Commission reviewed and Commissioner Randash, as Chairman, signed a letter dated August 10<sup>th</sup>, 2015 to Kent Atwood, Grants Bureau Chief of MT DES, notifying him of the project funding match Fallon County is liable for in accepting the FFY2015-16 Emergency Management Performance Grant (EMPG) EMW-2015-EP-00004.

**Sanitarian-** Rich Menger, Sanitarian, gave the Commission a copy of a letter, dated August 11, 2015, he sent to landowners addressing unsanitary sewage release and the action needed to remedy the issue.

**DEPARTMENT MINUTES/AGENDAS/REPORTS/NOTICES-**

**Sanitarian-** Email from Rich Menger, Sanitarian, regarding the building with mice infestation.

**Rifle Range Board-** July 31<sup>st</sup>, 2015 Rifle Range Board Minutes

**Library-** Stacey Moore, Library Director, gave the Commission a letter from the Montana State Librarian confirming Stacey is Certified Administrator for the Fallon County Library.

**Fair-** Fair Board Agenda for August 10<sup>th</sup>, 2015 meeting

**Town of Plevna-** Plevna Water Phase 2 Project Updates for week of 08/03/15

**Planner-** Workforce Housing Draft Zoning Resolution, Workforce Housing Staff Report #ZC-15-01, Workforce Housing Public Hearing Notice, and Draft Resolution of Intent to Adopt Zoning for Workforce Housing

**EMAILS-** The Commission reviewed the emails sent to them from State agencies and other entities that required no action, discussion or decision.

**COUNTY FLEET PICKUP-** The Commission pulled the White Chevy Pickup out of the County Fleet and assigned it to the Commission, for their use only. This was done to ensure a vehicle is available to them at all times.

**9:30AM COUNTY & CITY IT SERVICES DISCUSSION**

**Present: Andy Fujimori, IT Tech; Julie Straub, Human Resource Manager; Clayton Hornung, City of Baker Mayor**

Don Dilworth, previous IT Tech, was contracted by the County and City for his services and billed each entity separately for work he performed. Andy Fujimori, the new IT Tech, is a County employee and therefore will not be able to bill the City separately for the work he does for them. Julie Straub, Human Resource Manager, told Clayton Hornung, City of Baker Mayor, Andy will keep track of the hours he works for City and the County will bill the City for the work.

**9:40am- Andy Fujimori, Julie Straub, and Clayton Hornung left the meeting.**

**10:00 AM ROAD UPDATES**

**Present: Alba Higgins, Shop Foreman; Bobby Wiedmer, Road Foreman**

**Auction Items-** The Commission asked Alba Higgins, Shop Foreman if he and his crew would be able to pick up auction items from other departments and bring them to the County Shop. Alba said yes and they can pick them up the Monday before the auction. Lani DeBuhr, Clerk, will send an email out to the Department heads to notify them of the pickup date.

**Cemetery Oliver Tractor-** The Commission asked Alba if he would be willing to replace the clutch in the Cemetery's Oliver tractor. Alba said if there isn't a rush on it, he can do it. The Commission and Alba discussed sending the John Deere 2130 tractor from the Fairgrounds to the Cemetery rather than repairing the Oliver as it is old and has other things that need to be fixed. The Commission asked Alba to go look at the tractor and see if

he thinks it is worth repairing or not. Alba said he looked at it last year and learned it is very hard to get parts as it is a European tractor. He suggested giving the John Deere 2130 tractor to the Cemetery rather than repairing the Oliver. The Commission said they had slated the John Deere 2130 for the Rifle Range but could come up with another option if need be.

**Mower/Mule Training-** Alba said the training session he had with the Fairgrounds employees went well.

**Arena Tool-** A member of the Fair Board asked Alba to put grease fittings in the arena tool. He would rather not do it but will as they are wanting it done.

**Landfill Tank-** The landfill moved their fuel tank.

**10:15am- Commissioner Ranum excused herself from the meeting.**

**Kenworth #532-** The fuel tank is cracked and needs to be repaired. Alba is going to have Baker Metal & Recycling re-weld the tank.

**Prince Inc. Chips-** The Road crew picked up the Prince Inc. chips and put them with their other chip supply.

**Kierle Road-** The Commission asked Bobby Wiedmer, Road Foreman, if someone at the City talked to him before putting in the new culvert on Kierle Road. The Commission said Wyrick Construction installed the culvert and wanted to know if Clayton Hornung, City of Baker Mayor, talked to him before having Wyrick Construction do the work. Bobby said Clayton asked if there was a culvert at the shop they could use and Bobby said yes but he didn't realize they weren't going to set it themselves.

**Gazebo Parking Lot-** Bobby said his crew is going to start digging out the Gazebo parking lot to repair it in the next week or two.

**10:20am- Chuck Lee, DES/911 Director, joined the meeting.**

**10:25am- Shannon Hewson, Brosz Engineering, joined the meeting.**

**Auction Item-** Chuck Lee, DES/911 Director and Alba discussed getting the Army 6x6 truck to the County Auction.

**10:30am- Chuck Lee left the meeting.**

**Landfill Loader-** The computer mechanism isn't working right and a mechanic from RDO Equipment is coming to look at it.

**Community Service Pickup-** The Commission asked Alba if there was a pickup they could give to Community Service to use. Alba said the plan was to give Tim Grube's, Sheriff's Deputy, crew cab pickup to Community Service when he gets his new pickup. The new pickup should be here in approximately 6 weeks. The Commission will let Nicole Benefiel know when to expect the pickup.

**County Shop Roof-** Griffith Steel is working on the overlay on the tin.

**Rec Dept Container-** The Commission asked Alba if the Rec Dept could store their storage container at the County yard. Alba said yes and he would clear out a side by one of the buildings to store it.

**10:35am- Alba Higgins left the meeting.**

**Napa Retaining Wall-** Diamond J Construction started work on the Napa Retaining Wall today. Shannon Hewson and John Peila with Diamond J Construction discussed the liability of project due to it being adjacent to private property. Shannon said he talked to Ken Schell, owner of adjacent property, about the construction project and the type of footing his building is on. Shannon said the contractor plans on staying 10 feet away from Ken's building but Shannon is concerned about the water that may be under the building as there are underground springs. Because of this Shannon will be inspecting the project on a daily basis. Shannon asked the Commission to call Ken to see if he has any other concerns and Commissioner Baldwin said he would call him although the liability lies with the City. Shannon said the City wants the wall to extend to the manhole by the culvert as it sticks up out of the ground quite a bit. The Commission said the land the manhole is on is Donny and Brenda Wood's and they will talk to them about this. Shannon said there is also a fiber line that wasn't marked in the original plan so the digging around that area may have to be moved. Shannon said if the line needs to be moved the County would have to pay Mid-Rivers to move it.

**Lower Dam Report-** Shannon hasn't completed this report yet as he has not received the report back from the Army Corps of Engineers.

**Sparks Bridge-** The dirt for this project will come from the Sparks or Dean property and the landowners will be included in the preconstruction meeting.

**11:00am- Bobby Wiedmer and Shannon Hewson left the meeting.**

**11:00AM MILL LEVY DISCUSSION**

**Present: Brenda Wood, Clerk & Recorder, LaRita Huether, Department of Revenue; Barb Ketterling, Treasurer**

The Commission asked to meet with Brenda Wood, LaRita Huether and Barb Ketterling to ask them what they recommend in setting the mill levies. The Commission said there are several things that need to be considered when determining this coming years mill levies such as the taxable values going up but the oil & gas revenues going down. Barb agreed and said the revenues have dropped considerably this quarter. LaRita said another thing to consider is although the taxes have increased, the percentage the County receives from them

has dropped so the County gain isn't as much as you may expect.

**11:05am- Commissioner Ranum joined the meeting.**

The Commission reviewed the revenues and taxable values and said they would like to keep the mill levies the same as last year. Barb said it would be wise to leave them as they are so we have some security in the event the County has other big changes coming in the future. Brenda and LaRita agreed and said there are too many unknowns right now to make any changes.

**Increased Taxes-** LaRita and Barb's offices have been talking to people who are upset about their tax increases. They have been able to explain the difference between their taxable value versus what their actual tax will be and that has alleviated a lot of people's concerns.

**11:40am- Brenda Wood, LaRita Huether and Barb Ketterling left the meeting.**

**11:40AM COMMISSIONER WORK SESSION**

The Commission reviewed the Workforce Housing Draft Zoning Resolution, Planning Department Staff Report and Draft Resolution of Intent to Adopt Zoning for Workforce Housing before it goes to Public Hearing on September 10, 2015.

The Commission discussed if having a tractor out at the Cemetery is necessary. The Commission discussed having Iven Felt use the skid steer from the shop instead when he needs it. The Commission decided the 2130 Tractor from the Fairgrounds will go to the Rifle Range, not the Cemetery.

**11:45AM PUBLIC COMMENT**

No one appeared for public comment.

**12:00pm- Dave Havens left the meeting.**

**12:00PM- NOON RECESS**

**Commissioner Baldwin made the motion to recess. Commissioner Ranum seconds the motion. 3 Ayes. 0 Nays. The motion carried unanimously.**

**Commissioner Baldwin excused himself from the meeting for the duration of the day.**

**1:15pm- Dave Havens, Member of the Public, joined the meeting.**

**1:15PM LUTHERAN FOOD STAND DISCUSSION**

**Present: Fred Houszvicka, Lutheran Church Council President; Bruce Kolasch, American Lutheran Church Pastor**

**Surrender and Lease Agreement-** Darcy Wassman, County Attorney, is reviewing the contract the Lutheran Council Members gave the County.

**Electric Pole-** Montana Dakota Utilities said the electric unit to the west of the building can be moved to another location.

**Building Layout-** The Lutherans would like to extend the building 10 feet to the west and extend the seating area for both food booths approximately 8 feet to the north. The Commission asked Fred Houszvicka to have the Lutheran Council Members meet with Richard Griffith with Griffith Steel to design a blue print for the layout of the building. The Commission said all construction of the building will be the county's responsibility other than grill. Fred suggested the County be responsible for any permanent fixtures in building and other items the Lutheran's could purchase.

**1:50pm- Fred Houszvicka and Bruce Kolasch left the meeting.**

**1:45PM TROTTER & ASSOCIATES CLAIM DECISION**

Faron Henderson, Trotter & Associates Contracted Planner, has not given the Commission a detailed breakdown for the last invoice submitted to the County. The Commission will wait for the detailed breakdown of invoice before paying the claim.

**2:00PM STAHLY ENGINEERING PROJECTS**

**Present: Jason Rittal, EPEDC Director; Ryan Rittal, Stahly Engineering**

**Splash Park Project-** KO Construction started the project today which is 20 days into the contract date. The Stahly Engineering inspector is in town to supervise the project. Ryan Rittal said Stahly Engineering has been looking at other cost effective ways to save money on parts of the project but they haven't led to any significant cost savings thus far.

**Capital Improvement Project Plan (CIP)-** The Commission will be meeting with Department Heads on Thursday to review their projects. The Commission is also leaving the levies set at what they were last year and gave Jason Rittal a copy of the levy breakdown and expected revenue to include in the CIP plan.

**Phase II Plevna Water Project-** Ryan said the contractor is getting ready to complete water lines on the south side of track and the mains lines are in on the north side. The contractor is set to start boring under the railroad tracks also. Ryan said the contractor is doing quality work and they have had no issues with their

work so far. They are scheduled to finish by September 11, 2015 although Ryan thinks it won't be finished by September 25<sup>th</sup>.

**Stanhope Project-** Jason Rittal said the design of the project has been authorized, the topographic survey has been completed and geotechnical services will be done next. It is expected to be out to bid the beginning of January and the project will hopefully start in the spring. Jason said the only thing he is concerned about is the challenge they will face in handling the ground water during construction. Jason has been trying to meet with one of the partners of the High Plains Group, LLC regarding their part in the project but has been unsuccessful. Jason is going to attempt to get a hold of them one more time this week and if he cannot meet with them the County may need to send a letter to the partnership letting them know another plan may need to be put into motion that would exclude their property from this development. Jason said the two options available to the County if the partnership doesn't cooperate is getting an easement from them to have access to their land or rerouting the plan to avoid their land. Ryan Rittal said if the plan needs to be rerouted it would need to happen immediately to meet the January bid dates. Jason is still waiting for Brosz Engineering to contact him regarding the project. He suspects the delay in him being contacted is due to the partnership not giving Brosz Engineering permission to discuss the project with Jason. Jason would like to pursue the partnership's cooperation until it is exhausted to avoid them coming back later and saying the County didn't try to help them get their land developed. He said the most important goal is to get the Stanhope Subdivision hooked up to the City of Baker's water and sewer lines next summer and he will continue to work on it until it happens.

**Subdivision Administration-** Ryan let the Commission know Stahly Engineering offers Subdivision Administration and gave them information that explains the detailed services they offer.

**Inspection and Load Rating-** Ryan let the Commission know Stahly Engineering can inspect and post load notices on behalf of the County and gave the Commission information on this service.

**2:40pm- Jason Rittal and Ryan Rittal left the meeting.**

## **2:40PM COUNTY INSURANCE DISCUSSION & HAIL CLAIM UPDATE**

**Present: Debbie Wyrick, Deputy Clerk & Recorder**

**Lutheran Stand Insurance** – The Commission asked Debbie Wyrick if it would affect the insurance coverage of the Lutheran Stand if the contents in the building had used items installed. Debbie said the County would have a separate insurance policy for the contents and used items can be included in that policy. Lani DeBuhr, Clerk and Fair Board Member, suggested the Fair Board review the contents of all the Fair buildings to ensure they are insured at the correct value. The Commission asked Debbie what constitutes contents of a building versus permanent fixtures of the building. Debbie said she will ask the County's insurance agent about it.

**Landfill Door Repairs-** Debbie gave the Commission a copy of the estimate from Griffith Steel to repair the door on the old Landfill building. The Commission gave Debbie approval to have the Landfill door repaired.

**Property Hail Damage Updates-** Debbie and the Commission reviewed the buildings that still need to be repaired. The Commission and Debbie reviewed the buildings that have been repaired and the money each building was allocated for the repairs. Debbie said the remaining repairs that need to be done on the Fair buildings will happen after the Fair and suggested reviewing the buildings next week to determine what buildings need to be repaired first and getting them scheduled for the spring. Debbie said many of the buildings have such minor damage or are buildings slated to be torn down it doesn't warrant the County hiring someone to repair them. She plans on sending a letter to notify EMC, D & J Insurance, and Terry Scherr, Insurance Adjuster, of the buildings that are not going to be repaired and the reasons why.

The County has not received all of the insurance funds from the claim. The reason for this is the adjuster did an estimate on 10 buildings with Uniflex roofing material being required for the repair. The County does not want this material put on their roofs and wants the roofs repaired with metal roofing. Debbie asked the adjuster to revise his estimates by taking the Uniflex material off the estimate and replacing it with metal roofing. Debbie has received these adjusted estimates for these 10 buildings but has not received the additional funds from the insurance company for the difference in the estimates. Debbie is going to contact the insurance adjuster, Terry Scherr, to ask him if the repairs need to be done before the additional funds are paid out.

**3:20pm- Debbie Wyrick and Dave Havens left the meeting.**

## **3:45PM PARK PROJECT UPDATES**

**Present: Michael Hinshaw, Stahly Engineering Inspector for the Splash Park Project**

Michael Hinshaw with Stahly Engineering came to introduce himself to the Commission. He said he hasn't had a chance to speak with the contractor but plans on going to the project at 8am tomorrow. He will be here this week only and then another inspector will be arriving here next week for the duration of the project. The Commission asked Michael and his successor to check in with them often.

**3:45pm- Michael Hinshaw left the meeting.**

#### **3:57PM MINUTES APPROVAL**

**Commissioner Ranum made the motion to approve the October 20th, 2014 Commission Minutes. Being there was no second Commissioner Randash stepped down from Chair and seconded the motion. 2 Ayes. 0 Nays. 1 Absent. The motion carried.**

#### **4:00PM SPECIAL PROJECT TECHNICIAN JOB DESCRIPTION**

**Present: Joe Janz, Outside Building Maintenance Supervisor; Julie Straub, Human Resource Manager**

The Commission met with Joe Janz to notify him of the changes to Special Project Technician, DuWayne Bohle's job description. The Commission told Joe that DuWayne will be working primarily on Special Projects rather than Outside Maintenance. DuWayne will still be available to help Joe with outside maintenance duties when he is not working on Special Projects. The Commission, as a whole, will now be DuWayne's Supervisor. Joe suggested DuWayne have an office if he is going to be taking care of the business he is assigned to. The Commission said they would ask DuWayne if he thinks he would need his own office. Joe asked if he should continue to ask DuWayne to help with Outside Maintenance coverage in the event Joe is on vacation or is ill and the Commission said yes.

**Museum Assistance-** Joe asked the Commission what they would like him to do with repair tasks at the Museum. The Commission told Joe they would like the staff at the Museum to do the repairs if at all possible.

**Museum Security-** The Commission told Joe they do not want him or DuWayne to give the Museum security assistance. They would rather the Museum staff call 911 for law enforcement to be sent to the Museum if needed.

#### **4:15PM SPECIAL PROJECT TECHNICIAN JOB DESCRIPTION**

**Present: DuWayne Bohle, Special Project Technician; Julie Straub, Human Resource Manager; Joe Janz, Outside Building Maintenance Supervisor**

The Commission told DuWayne Bohle he is going to begin working primarily on projects assigned by the Commission rather than outside building maintenance duties starting with the insurance hail damage repairs. The Commission said his work day can start early if he chooses also. The Commission would like DuWayne to continue to work with Joe as needed and DuWayne said he would. The Commission asked DuWayne if he needed his own office and he said no, he can use the extra desk in Joe's shop. The Commission said he can use the white pickup that was just pulled out of the fleet for his Special Project duties and the Commission will notify him if they need to use the pickup. Julie Straub told DuWayne he will now be supervised by the Commission as a whole.

**4:25am- Joe Janz and DuWayne Bohle left the meeting.**

#### **4:30PM WEED SPRAY PROGRAM DISCUSSION**

**Present: Dale Butori, Weed Supervisor; Julie Straub, Human Resource Manager**

The Commission suggested Dale Butori have DuWayne Bohle spray roads next season if needed. Dale said he would be concerned about who would supervise his spraying of the weeds and if they all can work together as there has been issues in the past. Dale said his board is leaning towards asking the Road Department to spray the roads so the Weed crew can concentrate on spraying the noxious weeds and would give them two trucks to do so. The weed crew has had a hard time this year spraying all the patches of Canadian Thistle as the spraying of roads takes a lot of time. Dale said they can't spray for both at the same time either because they require two different chemicals. Dale suggested the Road Department hire someone seasonally to spray the roads and have Bobby Wiedmer, Road Supervisor, be their supervisor. The Commission asked Dale if he thinks the roads should continue to be sprayed. Dale thinks the roads should be mowed rather than sprayed as it is less expensive and the weed chemicals are not always effective. Dale said if the side of the roads were mowed regularly the grass eventually would hold the dirt and prohibit the weeds from growing so much. The Commission asked Dale if posting a "Not a County Road" sign rather than a blue sign would work to mark the roads that don't have easements. Dale said he doesn't care what type of sign is used as long as it is a universal sign that is easily identified by his crew.

**4:50pm- Dale Butori and Julie Straub left the meeting.**

#### **5:00PM EVENING RECESS**

**Commissioner Ranum made a motion to recess for the evening. Being there no second Commissioner Randash stepped down from being chair and seconded the motion. 2 Ayes. 0 Nays. 1 Absent. The motion carried.**

**9:00 AM RECONVENE**

**PRESENT** William L. Randash, Chairman; Steve Baldwin, Member, Lani DeBuhr, Clerk

**Absent** Deb Ranum, Member

**FALLON COUNTY COURTHOUSE**

**9:00am- Dave Havens, Member of the Public, joined the meeting.**

**9:00AM- 12:00PM BUDGET REVIEW WITH DEPARTMENT HEADS**

Due to the recent loss in Oil, Gas & Coal revenues the Commission met with the following Department Heads to discuss and decrease their 2016 budgets. (Lisa Mitchell, Ambulance; Jerrie Newell, Clerk of Court; Chuck Lee, DES/911 Director; Brenda Hoeger, Dispatch Supervisor; Kim Cuppy, Health Nurse; Stacey Moore, Library Director; Joe Janz, Outside Building Maintenance Supervisor; Scott Rabbit, Parks Director; Tom Kachel, Landfill Manager; Rich Menger, Sanitarian; Barb Ketterling, Treasurer; Andy Fujimori, IT Tech; Mary Grube, Planner Administrative Assistant; Lynda Herbst, Inside Building Maintenance Supervisor; Julie Straub, Human Resource Manager/Safety Director; Mike Kirschten, Rifle Range Board President; Angie Rabbit, Recreation Director; Trent Harbaugh, Sheriff; Eric Kary, Golf; Karen Banister, Museum; Carla Brown, Senior Citizen Director; Nicole Benefiel, Justice of the Peace; Wanda Pinnow, Fair Board President; Darcy Wassman, County Attorney) All budgets were decreased by a combined total of \$730,700 and the itemized budgets for each Department are available at the Clerk & Recorder's office for viewing.

**10:45AM PARKS/Scott Rabbit, Parks Director**

The Commission asked Scott to review the coding for his items with Brenda Wood to ensure the expenses are assigned to the correct fund. He will set up a time to meet with them to finalize the Parks budget.

The Commission asked Scott to have BC6 Builders come and put the canopies up since the canopy structures are in place at the Splash Park and Triangle Park.

**11:00am- Commissioner Ranum joined the meeting.**

**12:00PM- NOON RECESS**

**Commissioner Baldwin made the motion to recess. Commissioner Ranum seconds the motion. 3 Ayes. 0 Nays. The motion carried unanimously.**

**Commissioner Randash excused himself from the meeting for the duration of the day.**

**12:00pm- Dave Havens left the meeting.**

**1:15pm- Dave Havens, Member of the Public, joined the meeting.**

**1:15PM-5:00PM BUDGET REVIEW WITH DEPARTMENT HEADS**

**4:35pm- Dave Havens left the meeting.**

**4:35PM- ATTORNEY BUDGET/Darcy Wassman, County Attorney**

Darcy gave the Commission the letter she drafted to send to Haliburton asking them to remove their items from the land Fidelity leased from the County.

Darcy discussed the statute that says if a building is built on another's land it becomes the land owner's property.

**5:00PM ADJOURN**

**Commissioner Ranum made the motion to adjourn. Commissioner Baldwin seconded the motion. 2 Ayes. 0 Nays. 1 Absent. The motion carried.**

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ADJOURN  
s/William L. Randash, Chairman

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MINUTE TAKER:  
s/Lani J. DeBuhr, Clerk

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