

**9:00AM CONVENE**

**Present: William Randash, Chairman; Deb Ranum, Member; Lani DeBuhr, Clerk**

**Absent: Steve Baldwin, Member**

**FALLON COUNTY COURTHOUSE**

**9:00AM COMMISSION WORK SESSION**

**Bank of Baker Visa Card-** The Commission completed account paperwork to set up a checking account at the Bank of Baker in order to have a Visa Bank Card issued for the County to use for online and travel purchases.

**Eastern Plains Economic Development Corporation (EPEDC)-** The Commission wrote a letter to Jason Rittal, EPEDC Executive Director, in support of the EPEDC.

**Trotter & Associates Invoices-** The Commission received an email dated October 12, 2015 from Susan Swimley, Contracted Attorney, notifying the Commission Trotter & Associates agreed with the letter sent to them regarding questionable items on the June, July and August invoices. Trotter and Associates sent the Commission a reimbursement for services they paid for but shouldn't have been charged for.

**Auction Policy and Procedure-** The Commission discussed the things they wanted included in the Auction Policy and Procedure and Lani DeBuhr will draft it for their review.

**9:40am- Commissioner Baldwin joined the meeting.**

**MISCELLANEOUS-**

**Change of Rate of Pay-** The Commission reviewed and signed a Change of Rate of Pay Approval Form for DuWayne Bohle completing one year employment with Fallon County.

**Penny Sikorski's Letter-** Commissioner Randash and Commissioner Baldwin sent a letter to Penny Sikorski notifying her they sent her letter to the Hospital Board for them to review and address. Commissioner Ranum said she thought more needed to be done to address the issue and therefore wouldn't sign the letter.

**DEPARTMENT MINUTES/REPORTS/AGENDAS -**

The Commission reviewed Department minutes, reports and agendas.

**EMAILS-**

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

**10:00AM ROAD DEPARTMENT UPDATES**

**Present: Alba Higgins, Shop Foreman**

Alba Higgins gave the Commission updates on the equipment and vehicles that are being serviced or repaired by him and Mitch Overn, Road Department Mechanic. The Commission gave Alba permission to get Tim Grube's old pickup ready so that it can be given to Community Service to use.

Alba gave the Commission updates on the Road Crew's activities. A culvert on the Anticline Road failed and the Road Crew replaced it.

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

**10:15am Shannon Hewson, Brosz Engineering, joined the meeting to give updates on County Projects.**

**Kramlick and Sparks Box Culverts-** The bridges are complete and the area has been seeded and mulched. The stake lines will be set and Rieger Fencing will be contacted to erect the fence next. The project is expected to be closed out this month.

**NAPA Retaining Wall-** This project will be closed out this month. Shannon Hewson is contacting Ken Schell, landowner, to notify him the alley behind NAPA should be used as a private road only to avoid the liability he may face if someone were to fall into the channel.

**Prairie Ave. Culvert-** There is a Mid-River coaxial cable running by the existing culvert and Shannon said Mid-Rivers will work with the County to move it. Shannon gave the Commission drawings of the Prairie Ave. culvert installation to review. Shannon said the culvert is behind the Department of Transportations' (DOT) property line so the County will not have to work with the DOT on the project but Shannon is notifying them the culvert will be worked on.

**Upper Baker Lake Gate-** Shannon said he notified the Department of Natural Resource and Conservation (DNRC) the area around the gate does not need to be seeded as vegetation is growing there naturally.

**10:40am- Rich Menger, Sanitarian, entered the meeting.**

**Culverts Going through Town-** Shannon said the culverts on 1<sup>st</sup>, 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> Streets will eventually be replaced with 1<sup>st</sup> Street most likely being the first one to be replaced. Shannon will draft a letter inviting landowners in the area to a public meeting about the project.

**10:45am- Shannon Hewson left the meeting.**

**Baker Lake Mitigation-** Rich Menger said DOWL Engineering and Guem Consulting have been busy gathering data around the lake and have completed the Wetland Delineation. Tom Parker with Guem Consulting talked to Todd Tillinger, Montana Program Manager with the US Army Corps of Engineers and Monica Heindal, Environmental Engineer with the Environmental Protection Agency (EPA) and told them their assessment of the Afrank property was incorrect and he has data to support this. This information will be submitted along with the mitigation plan.

**10:50am- Rich Menger left the meeting.**

#### **11:00AM 4-H JOB DESCRIPTION DISCUSSION**

**Present: Julie Straub, Human Resource Manager; Elin Kittelman, Extension County Agent**

Julie Straub said she is going to start the job audit process with Sharon Schwartz, 4-H Program Assistant and Maggie Bainter, Extension Secretary, to determine what duties they are both responsible for. Once this process is complete Julie will review the 4-H Program Assistant job description with Elin Kittelman and then present it to the Commission by the end of the month. Elin said Sharon is working on her resignation letter and will submit it when it's complete. Commissioner Ranum discussed the duties that have been done in the past for this position and if duties could be shared among employees rather than continuing to have three full-time employees. Elin said there are 150 4-H students and she wouldn't be able to handle those duties if the position wasn't full-time. The Commission and Elin discussed Montana State assisting with the expenses of the position but Elin said it would be a two year process in requesting assistance. The Commission asked Julie to review the wage and determine a starting wage for the position rather than basing it off of what Sharon's wage is.

**11:15am- Julie Straub and Elin Kittelman left the meeting.**

**11:30am- Jerrid Geving, Member of the Public, entered the meeting.**

Jerrid Geving came in to ask the Commission if they would approve him going to the PRCA Convention again this year in Las Vegas, NV. The Commission asked if there were any other Fair Board Members who wanted to go and Jerrid said he wasn't aware of any members who wanted to attend. Commissioner Randash told him to talk to the Fair Board about it since they are the ones who are responsible for the budget. Commissioner Ranum and Commissioner Baldwin gave Jerrid approval to attend the PRCA Convention and told him to discuss it with his Board.

The Commission and Jerrid discussed the Montana High School Final Rodeo the Fair Board is putting a bid in for.

**11:40am- Jerrid Geving left the meeting.**

#### **11:45AM PUBLIC COMMENT**

No one appeared for public comment.

#### **12:00PM RECESS**

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

#### **3:00PM CLOSED/FMLA**

The meeting was cancelled and will be rescheduled in the future.

#### **3:30PM REVIEW FAIR ENTERTAINMENT REPORTS**

The Commission reviewed the Fair Income and Expense Reports for the 2006-2015 Fairs.

#### **4:00PM COUNTY ATTORNEY UPDATES**

**Present: Darcy Wassman, County Attorney; Bobby Wiedmer, Road Supervisor**

**Lutheran Food Booth-** The Commission discussed the updates on the Lutheran Food Booth with Darcy Wassman and the increased costs associated with it.

**Gravel Bid-** The Commission asked Darcy if a contractor would have to include a bond when they submit a bid to supply the County with a large amount of gravel. Darcy said the gravel contract would have to include a specific amount of gravel the County would commit to buy and a set price per yard the contractor would commit to sell it for. Darcy said if no bid bond was required and there is a breach of contract by the Contractor where they do not supply the amount of gravel at the price specified in the contract there would be no recourse for the County. Darcy said another thing to consider is the precedence sent to future contractors by not requiring one

contractor to have a bond. The Commission, Bobby Wiedmer and Darcy discussed purchasing gravel in small batches but decided that wouldn't be a good option as gravel has to be purchased in large amounts during the spring and summer months since it can't be crushed in the winter. Darcy suggested requiring the bid bond as it will protect the County in the event the contract is breached. Darcy will look at the law on committing future funds to a long term gravel contract and Bobby will work with Brenda Wood, Clerk and Recorder, on getting bid specs ready.

**Board Resolutions-** Darcy gave the Commission a draft of the first page of the Weed Board Resolution for them to review and will send the other pages to Lani DeBuhr, Clerk.

**Stanhope Addition Sewer/Water Project-** Darcy and the Commission discussed the Stanhope Addition Sewer/Water Project. The Commission said they are concerned if High Plains Group doesn't contribute to the project the County will have to pay for the entire project and will only be able to recover some of the cost if and when High Plains Group hooks up to the system.

#### **5:20PM EVENING RECESS**

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

**WEDNESDAY, OCTOBER 14<sup>TH</sup>, 2015**

#### **11:30AM CONGRESSMAN RYAN ZINKE PUBLIC MEETING**

Commissioner Randash and Commissioner Baldwin attended the public meeting Congressman Ryan Zinke held in the Courthouse Library Basement.

**THURSDAY, OCTOBER 15<sup>TH</sup>, 2015**

#### **10:00AM RECONVENE**

**Present: William Randash, Chairman; Steve Baldwin, Deb Ranum, Members; Lani DeBuhr, Clerk**  
**FALLON COUNTY COURTHOUSE**

#### **10:00AM STANHOPE ADDITION WATER/SEWER PROJECT DISCUSSION**

**Present: Jason Rittal, Eastern Plains Economic Development Corporation (EPEDC) Executive Director, Darcy Wassman, County Attorney, Lori Pankratz, Jean Rost, (2 other people)**

Jason Rittal and all present prepared themselves for the Stanhope Addition Water/Sewer Project Conference Call with High Plains Group at 11am by reviewing the initial plan and discussing potential alternative methods if High Plains Group does not cooperate and contribute to the plan. The alternative methods discussed were bypassing the High Plains development and installing the sewer line without any current or future contribution from them or installing the line through their development and charging a large hook up fee for when they tie into the line. Jason suggested the Commission not agree to anything today but to take the information they give and then discuss it more in depth at a later time.

**10:40am- Rich Menger, Sanitarian, joined the meeting.**

#### **11:00AM STANHOPE ADDITION WATER/SEWER CONFERENCE CALL**

**Present: Jason Rittal, Eastern Plains Economic Development Corporation (EPEDC) Executive Director; Darcy Wassman, County Attorney; Lori Pankratz, Jean Rost, (2 other people), Rich Menger, Sanitarian; Ryan Rittal, Stahly Engineering via Conference Call; Patrick Shumaker, High Plains Group via Conference Call; Lowell Springer, High Plains Group via Conference Call; Chuck Davison, High Plains Group via Conference Call**

The Commission and all present took part in a conference call to discuss the Stanhope Addition Water and Sewer Project. Patrick Shumaker with High Plains Group said they have committed many dollars towards their development in Baker but now that the oil industry is in a slump they are uneasy about committing any further funds to it as every dollar they put towards it will just sit there until activity picks up again.

The group discussed the figures in the new Memorandum of Understanding Jason Rittal drafted. Lowell Springer with High Plains Group said the numbers Jason determined are in line with the figures that were determined back in 2013 but now that the market has taken a turn for the worse the numbers may not be as reasonable as they were back then. Lowell said the figures used were based on a quick turn around but now that the environment has changed so much and the pipeline has not been approved Lowell suggested High Plains Group contribute a smaller portion now and then in time pay towards the 50/50 split when lots are sold and the system is used more. Patrick agreed and suggested the County put in a much higher percentage of the project up front with High Plains doing a payback when development happens. Patrick suggested High Plains Group still

run the project if this happens. Jason said the County has to be careful about the portion they contribute to another entities plans and project since governmental entities are required to go out to bid for their projects. Jason said originally the plan was for the Stanhope Addition to “tap” into the High Plains Group sewer system and the County would contribute to the project to do this. Jason said it was never the intention of the County to have the project be there’s primarily. Jason said if it becomes a matter where the project becomes primarily the responsibility of the County then it will have to go out to bid and the cost will increase because of prevailing wage rates, competitive solicitation, ect. that generally drive up costs. Jason said if this happens it will affect the amount High Plains Group pays when and if they hook up to the Stanhope lines. Patrick said he understands this but he wants the County to realize the amount of time and money they put into permitting and doing the process correctly where other businesses and developers in Baker did not. Jason said he will have to talk to the County Attorney regarding this to determine the amount of money they can put towards a project that isn’t there’s. Jason said in the meantime he would like High Plains Group to determine what they could put into the project now and then they will determine what they can legally do.

Patrick suggested the County and District Members think of ways they can help High Plains Group entice businesses and developers to their development. Jason said having construction activity on their development would help as activity breeds interest. Patrick said they did that last summer when the oil was high and it didn’t bring any interest. Lowell asked if the County needed any land for development where the county could justify the money being spent on the lift station. Jason said no, at this time the County does not have plans to build anything. Jason, Patrick, Chuck Davison and Lowell discussed the possibility of the land never being developed. Chuck suggested taking another look at the infrastructure and the plans of the City now since the environment has changed. Jason said if High Plains Group plans to develop the land at some point it is best to work together now as both entities will need a lift station at some point in time and it would be costly to do it alone. Jason said if the project becomes a county project he would like High Plains Group to consider what they would be willing to pay to hook in at a later date. Jason said the other thing to consider is what High Plains Group would be willing to put towards the project up front and then what the connection fee would be down the road. Lowell said he is going to get the Brosz Engineering CAD files and DEQ notes to the Commission since they haven’t received them yet.

**12:00pm- Commissioner Ranum excused herself from the meeting.**

Patrick asked what can be done for the businesses and developers who aren’t following the rules and going through the correct process to develop land correctly. Patrick suggested the County have a “market refresh” that can address these issues. Jason said they can’t control what the Planning Department does in the City of Baker and the County can’t control what the City of Baker does. Jason suggested starting an email chain back and forth with the ideas and include everyone on it.

**12:30PM ADJOURN**

**Commissioner Baldwin made the motion to adjourn the meeting. Being there was no second, Commissioner Randash stepped down from being Chair and seconded the motion. 2 Ayes. 1 Absent. 0 Nays. The motion carried.**

---

ADJOURN  
s/William L. Randash, Chairman

---

MINUTE TAKER:  
s/Lani J. DeBuhr, Clerk

---

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