

**9:00AM CONVENE**

**PRESENT:** Deb Ranum, William L. Randash, Members; Lani DeBuhr, Clerk

**ABSENT:** Steve Baldwin, Chairman

**FALLON COUNTY COURTHOUSE**

**9:00AM COMMISSION WORK SESSION**

**CHANGE OF RATE APPROVAL FORM-** The Commission reviewed and signed a Change of Rate Approval Form for Paul Christ, Landfill Employee, for successfully completing six months as an Operator.

**NEW HIRE APPROVAL FORMS-** The Commission reviewed and signed New Hire Approval Forms for City Police Officers: Michael Reddick, Justin LaCroix and Cameron Farrell as Intermittent Shooting Range Attendants.

**JOURNAL ENTRY FORMS-** The Commission reviewed and Commissioner Ranum as Vice-Chair signed the following Journal Entry Forms: Journal Entry #530- moving an invoice from the Dispatch budget to the Building Maintenance budget; Budget Journal Entry #6 transferring funds between accounts per the Library Director's request.

**MINUTES APPROVAL-** The Commission reviewed the Commission Minutes for the week of April 18-22, 2016. **Commissioner Randash made the motion to approve the Commission Minutes for the week of April 18-22, 2016. Commissioner Ranum seconded the motion. 2 Ayes. 1 Absent. 0 Nays. The motion carried.**

**CORRESPONDENCE-**

The Commission wrote a letter to Mark Jacobsen with the BLM Resource Advisory Council asking him and the Council to consider appointing Allen Rustad to the BLM Resource Advisory Council.

The Commission received a copy of the letter the Musselshell County Commission wrote regarding "The War on Coal" from John E. Prinkki, Carbon County Commissioner. In response, the Commission wrote a letter to John E. Prinkki in support of Musselshell County's stance on "The War on Coal" and encouraged other counties to do the same.

**BOARD AGENDAS/MINUTES-** The Commission reviewed Board Agendas and Minutes.

**REVENUES-** The Commission reviewed revenues received during the week.

**DEPARTMENT REPORTS/NOTICES-** The Commission reviewed Department Reports, Newsletters and Notices.

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

**9:10am- Lisa Mitchell, Ambulance Director, joined the meeting.**

Lisa Mitchell told the Commission she did a transport to Billings for the Miles City Ambulance Department this weekend because Miles City only has one operable ambulance at this time. Lisa asked the Commission if they would be willing to let Miles City use a Fallon County Ambulance for four days while their other ambulance is repaired. The Commission asked if loaning out the Ambulance would affect our area negatively. Lisa said no, as they would still have two ambulances in the County. Lisa said Debbie Wyrick, Deputy Clerk and Recorder, is contacting the County's Insurance Company to find out what would need to be done with our insurance coverage if it was loaned out. The Commission gave permission to loan out an Ambulance to Miles City and asked Lisa to contact Darcy Wassmann, County Attorney, about the paperwork needed to loan it out.

**AMBULANCE BID-** Lisa asked the Commission if they had made a decision regarding the Ambulance Bid from Sawtooth Emergency Services.

**Commissioner Randash made the motion to award the Ambulance Bid to Sawtooth Emergency Services in the amount of \$237,800. Commissioner Ranum seconded the motion. 2 Ayes. 1 Absent. 0 Nays. The motion carried.**

**9:20am- Lisa Mitchell left the meeting.**

**9:20am- The Commission called Commissioner Baldwin and spoke to him on the phone.**

The Commission told Commissioner Baldwin they made a motion to award the Ambulance Bid to Sawtooth Emergency Services. Commissioner Baldwin asked the Commission to consider withdrawing the motion as he would like to discuss the bid with Sawtooth Emergency Services directly before proceeding in awarding it.

**Commissioner Randash asked for permission to withdraw the motion. Commissioner Baldwin asked if there was any objection to Commissioner Randash's request and there was none. Commissioner Baldwin withdrew the motion.**

**10:00AM ROAD DEPARTMENT UPDATES**

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

**SHOP UPDATES-** Alba Higgins gave updates on the equipment and vehicles being serviced or repaired this week. Alba said someone shot two front tires and the hydraulic hose on a County Blade last week. Alba said the damages have been turned into the County's insurance and it has been reported to the Sheriff's Department.

**ROAD UPDATES-** Bobby Wiedmer said the Road Crew is blading roads this week and working on the south hill parking lot at the Fair Grounds. Bobby and the Commission discussed the pricing on the fencing/reseeding quote they were given by Rieger Fencing in May 2014. Bobby said he would like to take a closer look at this quote and discuss it next week.

**PROJECT UPDATES- Calumet Rd Box Culvert-** Bobby said Coon Construction will start the Calumet Road Box Culvert project in two weeks.

**MK WEEDEN CRUSHED GRAVEL PROPOSAL-** The Commission received a revised proposal from MK Weeden for the crushed gravel at the Wenz Pit. MK Weeden's new proposal states they will remove the clay from the crushed gravel and will sell it to the County for \$10/yard. The proposal included the gravel specifications and states the County will have until December 31, 2021 to remove the gravel from the pit. The Commission asked Bobby what his thoughts were on this matter. Bobby said he has looked at the gravel and thinks it is worth the price of \$10/yard as it is good gravel. Bobby said there is approximately 300,000 yards available so it would need to go out to bid. The Commission agreed and will put it out to bid with the given specifications given by MK Weeden.

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

**11:00AM FLOODPLAIN DISCUSSION**

**Present: Mary Grube, Planner Administrative Assistant**

Mary Grube gave the Commission updates on the scrap pile northwest of town that is in the floodway. Mary told the Commission Forrest Sanderson, Contracted Planner and Certified Flood Plain Manager, estimates his services will cost \$15,000 - \$30,000 to help the landowner bring this area into compliance. Mary said this will entail Forrest working with the landowner, Darcy Wassmann, County Attorney and the State of Montana. Mary said the first step is to get the area cleaned up and then proceed in getting it back to the original elevation and condition it was in prior to this recent activity. Mary said Tracy Sears with the Montana Department of Natural Resources and Conservation said this is a serious infraction and needs to be remedied quickly. Mary and the Commission discussed the steps that will need to be taken to accomplish this and who would be responsible for the costs. Mary and the Commission discussed Rich Menger, Sanitarian's, involvement with this.

**11:45am- Mary Grube left the meeting.**

**11:45AM DISCUSS PATIENT AMBULANCE BILL**

The Commission received a letter from Carla Brown, Council on Aging Coordinator, on behalf of a Senior Citizen asking the Commission for assistance with an ambulance bill that was denied by Medicare. The Commission said they will wait until later in the afternoon when they can call Commissioner Baldwin to get his opinion on it before making a decision.

**11:45AM PUBLIC COMMENT**

**No one appeared for Public Comment.**

**12:00PM NOON RECESS**

**Commissioner Ranum made the motion to take a noon recess. Commissioner Randash seconded the motion. 2 Ayes. 1 Absent. 0 Nays. The motion carried.**

**1:30PM RECONVENE**

**PRESENT: Deb Ranum, William L. Randash, Members; Lani DeBuhr, Clerk**

**PRESENT BY CONFERENCE CALL: Steve Baldwin, Chairman**

**FALLON COUNTY COURTHOUSE**

**1:30PM COUNTY FIRE PERMITS**

**Present: Tom Muckle, Rural Fire Chief; Tom Bruha, Fire Chief; Trent Harbaugh, Sheriff; Brenda Hoeger, Dispatch Supervisor; Randy Sanders, Montana Department Natural Resource and Conservation**

Tom Muckle and all present met with the Commission to discuss implementing a Burn Permit System in Fallon County. Tom said they have been considering ways to handle burning in the County other than passing burn ban resolutions and then having to turn right around and rescind them when the weather conditions improve. Tom said other Counties use a Burn Ban Permit System that requires people to get an annual burn permit at no charge and call for permission to burn each day. Tom said once the person's permit is issued their name and land description is logged in the Dispatch system and all they have to do is call into Dispatch to get permission to burn. Randy Sanders said Dispatch is notified of the weather conditions continually and will be able to assess if it is safe to burn in any particular area. Tom said this also ensures people are burning only when the weather conditions are favorable for it. Brenda Hoeger said Wibaux County has this system in place and it works well between them and Dispatch. Tom said the main reason they want to do this is to avoid putting burn bans in place and then having to take them off right away because of ever changing weather conditions. Randy said other counties, including Carter County have started to implement this system and it has caused "man-made" fires to decrease. Randy said it takes a while for people to get used to it but with education and implementation the transition should go smoothly. The Commission and Trent Harbaugh discussed ways the system can be enforced. Randy said if someone burns without a permit and without permission it is considered a misdemeanor that could include fines along with the costs incurred to fight they fire. Tom said the permits would be issued Monday-Friday during business hours but people could call Dispatch to get permission any day of the week and at any time. Tom gave the Commission Custer County's Open Burning Procedure and Richland County's Burn Permits to review.

The Commission gave permission to proceed with establishing a Burn Permit System in Fallon County. Tom Muckle, Tom Bruha and Brenda Hoeger will work on creating the permit and put a system in place to issue them.

**2:15pm- Dale Butori, Weed Supervisor, joined the meeting.**

**BURN BAN RESOLUTION-** The Commission asked Tom Muckle and Tom Bruha if the Burn Ban would be lifted soon. Tom Muckle said they could lift it now since the area has received so much moisture.

The Commission adopted and signed Resolution 2016-10 to rescind Burn Ban Resolution 2016-8 effective April 25, 2016.

### **RESCINDED FALLON COUNTY FIRE RESOLUTION**

#### **RESOLUTION NO. 2016-10**

The Fire Ban put into place by Resolution 2016-8 has been rescinded due to improved fire conditions.

Caution is still advised, as Fire conditions can change quickly. Please call in for your Burn Permits as usual, and monitor the Weather conditions. A Burn Ban or other actions may become necessary if Fire Conditions worsen.

BE IT FURTHER RESOLVED, that copies of this resolution be filed with the Fallon County Clerk and Recorder, and the Montana Disaster and Emergency Services Division in Helena. Copies will also be sent to the Department of Natural Resources and Conservations as well as the Bureau of Land Management.

BE IT FURTHER RESOLVED, this rescinding of Resolution 2016-8 becomes effective immediately. **PASSED AND ADOPTED** by the Fallon County Board of Commissioners this 25<sup>TH</sup> day of April, 2016.



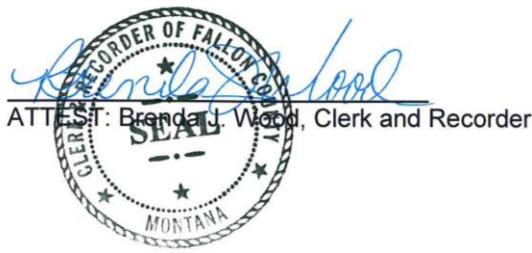
Steve Baldwin, Chairman



Deb Ranum, Commissioner



William L. Randash, Commissioner



**2:30pm- Commissioner Baldwin ended the phone call and thereby left the meeting.**

Randy and Tom Bruha discussed communicating with BLM and other Counties to make sure everyone is on the same page. Tom Muckle said he would like to get the system in place within 60 days and have the media notify the public as soon as possible.

**2:40pm- Tom Muckle, Tom Bruha, Randy Sanders, Trent Harbaugh and Brenda Hoeger left the meeting.**

**2:40PM COMMISSION WORK SESSION CONTINUED**

**FIREWORKS FUND DONATION-** The Commission received a letter from the Fallon County Federal Credit Union asking them to consider making a donation to the Fireworks Fund. Dale Butori said he is one of the name holders for the Fireworks Show and wanted to be present to ask for a donation in person. Dale said they always order the fireworks early to receive a 25% discount but the cost is still around \$6,500 with the County being the biggest donor each year. The County traditionally gives \$2,500 to the fund each year and the Commission agreed to do the same this year.

**Commissioner Randash made the motion to donate \$2,500 to the Fireworks Fund. Commissioner Ranum seconded the motion. 2 Ayes. 1 Absent. 0 Nays. The motion carried.**

**2:50pm- Dale Butori left the meeting.**

**DOWL ENGINEERING AMENDMENT-** The Commission reviewed the DOWL Engineering Amendment No. 1 for the Baker Lake Restoration Project prior to the conference call with DOWL Engineering tomorrow.

**3:00pm- The Commission called Commissioner Baldwin and spoke to him on the phone.**

**AMBULANCE PATIENT BILL-** The Commission told Commissioner Baldwin about the letter they received from Carla Brown, Council on Aging Coordinator, requesting assistance for a Senior Citizen's Ambulance Bill. The Commission decided not to provide the requested assistance with the ambulance bill because it would not be fiscally responsible to spend the taxpayers' dollars for that purpose and do not want to set such a precedence. The Commission will notify Carla Brown of their decision.

**3:15pm- Commissioner Baldwin ended the phone call and thereby left the meeting.**

**3:15PM RIFLE RANGE SITE VISIT**

Due to the weather, the Commission decided to postpone their site visit to the Rifle Range.

**3:30PM OLLIE STREETS/ALLEYWAYS DISCUSSION**

**Present: Bev Burghduff, Landowner; LeeAnn Loucks, American Bank Mortgage Banking Officer; Darcy Wassmann, County Attorney; Mary Grube, Planner Administrative Assistant**

LeeAnn Loucks told the Commission she is helping Bev Burghduff get financing to purchase multiple lots in Ollie. LeeAnn gave the Commission a letter asking them to vacate a street and alleyways that are adjacent to the lots Bev wants to purchase so they can be grouped into a single parcel of land. LeeAnn said this is necessary for Bev to qualify for a home mortgage and explained the requirements of the secondary mortgage market. The Commission said they wouldn't have a problem vacating the street and alleys requested in the letter. The Commission and Darcy Wassmann reviewed old plats of Ollie and Commission Minutes to determine how similar lots in Ollie were changed to acreage in the past. Darcy said the public will need to be notified, especially adjacent and surrounding landowners and a public hearing will need to be held. Darcy said she will check into the statute to determine the correct way to vacate the streets and alleys.

**4:20pm- Bev Burghduff, LeeAnn Loucks, Darcy Wassmann and Mary Grube left the meeting.**

**5:00PM EVENING RECESS**

**Commissioner Randash made the motion to recess for the evening. Commissioner Ranum seconded the motion. 2 Ayes. 1 Absent. 0 Nays. The motion carried.**

**11:00AM RECONVENE**

**PRESENT: Steve Baldwin, Chairman; Deb Ranum, Member; Lani DeBuhr, Clerk**

**ABSENT: William L. Randash, Member**

**FALLON COUNTY COURTHOUSE**

**11:00AM BAKER LAKE MITIGATION CONFERENCE CALL WITH DOWL ENGINEERING**

**Present: Dan Brosz, Brosz Engineering; Shannon Hewson, Brosz Engineering; Mary Grube, Planner**

**Administrative Assistant; Present by Conference Call: Jeff Olsson, DOWL Engineering; Tom Parker, Geum Consulting**

The Commission had a conference call with Tom Parker and Jeff Olsson to discuss the feedback they received from EPA regarding the Baker Lake Restoration Plan and the DOWL Engineering Amendment. Tom said he spoke with Monica Heimdal with EPA last Thursday. Tom said the overall comments she had were minor with little technical questions. Tom said she liked the Restoration Plan but still has questions regarding the Afrank Property. Tom said he has placed a request to discuss this issue further and will provide any information she needs to finalize that section of plan. Tom said the next step is to address EPA's concerns in a Final Restoration Plan. Tom said this Final Plan will be submitted to the Commission prior to it being sent to the EPA. Tom said Monica didn't give an indication of when the plan would be approved but he is hoping they will get approval by May 16<sup>th</sup> as that is the deadline for a grant Rich Menger, Sanitarian, wants to apply for.

The Commission asked if the engineering work in DOWL Engineering's Amendment 1 has to be done. Jeff said he would strongly suggest it be done for a couple reasons. Jeff said the concepts of the wetland complex in the design are based on the assumption there will be available water in the basin that will be released to the wetlands. Jeff said in order to determine if this assumption is true further analysis is needed which is what Amendment 1 includes. Jeff said the US Natural Resources Conservation Service (NRCS) voiced concerns about the impact this project will have on the outlet works of the upper reservoir and this analysis would show that impact as well. The Commission asked if the data the NRCS compiled when the Upper Lake Dam was built can be used so the engineering isn't doubled. Jeff said they have used some of their information but a water availability study wasn't done at that time. Jeff said this type of study takes 20 years of precipitation data and enters it into a model that will show the water availability over time. Tom said the work is necessary to establish the water availability that would support the wetland complex design. Jeff said if the study shows there would not be enough water available to maintain the wetlands then the design will need to be modified in which the wetlands would depend on ground water in dry years. Tom asked what the water level of the Upper Lake is throughout the years. Dan Brosz said the Upper Lake is emptied often because the Dam and Upper Lake were designed for flood control, not to hold runoff water for the wetland complex. Jeff said he understood and they would like to look at ways to incorporate a design to strategically release water to the wetland complex but not changing the purpose of the reservoir. Tom said the function of the wetland complex is to improve the water quality and runoff and control the sediment that is deposited in the lake. Dan asked about the feasibility of the items in the plan to be implemented in this area as we are a very rural area and to keep that in mind when estimating the cost of things included in the plan.

**11:32pm- Tom Parker and Jeff Ollson ended the conference call and thereby left the meeting.**

Those present reviewed and discussed the Restoration Plan and ways to utilize the Baker Dam to water the wetland complex.

**11:50am- Dan Brosz, Shannon Hewson, and Mary Grube left the meeting.**

**12:00PM ADJOURN**

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