

**10:00AM CONVENE**

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

**ABSENT:** Deb Ranum, Member

**GUEST:** Dave Havens, Member of the Public

**FALLON COUNTY COURTHOUSE**

**9:00AM COMMISSIONER WORK SESSION**

**EMPLOYEE MEDICAL PLAN-** The Commission reviewed and signed the Employee Medical Benefit Plan Amendment #28 that changed the eligibility for Fallon County Retiree Coverage to retirees who are at least 50 years old with at least 5 years of service in accordance with M.C.A. 2-18-704-1.

**KLJ CONTRACT AMENDMENT NO. 1-** The Commission reviewed and Commissioner Baldwin, as Chairman, signed KLJ Contract Amendment No. 1 to include Survey Compliance Review services.

**BURN BAN RESOLUTION 2016-8-** The Commission adopted and signed Resolution 2016-8 instating a burn ban with an effective date of March 21, 2016.

**FALLON COUNTY FIRE RESOLUTION  
RESOLUTION NO. 2016-8**

**WHEREAS,** high winds including small amounts of precipitation, low humidity, and unseasonably high temperatures has occurred within the County of Fallon recently,

**WHEREAS,** wildland fires have occurred, with continued conditions will continue to occur in Fallon County and throughout Eastern Montana, and

**NOW, THEREFORE, BE IT RESOLVED** by the Fallon County Commissioners that a Burn Ban is in effect immediately March 21<sup>st</sup>, 2016.

**IT IS FURTHER RESOLVED,** that Fallon County is imposing a Burn Ban which restricts burning of all Agricultural, Burn Barrel, and Garbage Pits on land within the boundaries of Fallon County. Open burning shall cease immediately until further notice.

**EXCEPT,** within the limits of the Town of Baker and Bureau of Land Management and State of Montana Lands. These lands shall be governed by the rules and regulations of their respective agencies.

**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 resolution will become effective at 08:00 AM March 22<sup>nd</sup>, 2016.

**PASSED AND ADOPTED** by the Fallon County Board of Commissioners this 21<sup>st</sup> day of March, 2016.

**FALLON COUNTY-BAKER, MT  
BOARD OF COMMISSIONERS**

  
Steve Baldwin, Chairman

  
Deb Ranum, Member

  
William L. Randash, Member



  
Brenda J. Wood, Clerk and Recorder

**CLIENT DATA ACCESS AGREEMENT-** The Commission reviewed and Commissioner Baldwin, as Chairman, signed the Client Data Access Agreement with Fallon County's Software Provider, Tyler Technologies.

**SHERIFF FEE RESOLUTION 2016-7-** The Commission adopted and signed Resolution 2016-7 setting Sheriff Fees at \$50.

**RESOLUTION ESTABLISHING FEES OF SHERIFF  
2016-7**

**WHEREAS**, Sec. 7-4-2525, M.C.A. provides that the Governing Board of the County may annually fix the fees of the Sheriff for services provided in Sec. 7-32-2141, M.C.A and

**WHEREAS**, the Sheriff has researched the amount of the fees charged for these services in other Counties and States, and

**WHEREAS**, it is the intent of the Commission to establish a fee at an amount which will defray some costs incurred in providing services as described in the above referenced statute.

**NOW THEREFORE BE IT RESOLVED** that the fee for services described in Sect. 7-32-2141 M.C.A. subsection (1) (a) through (1) (n) be set at \$50.

This resolution has been adopted by the Fallon County Commission and is effective the 21<sup>st</sup> day of March, 2016.

  
s/Steve Baldwin, Chairman

  
s/Deb Ranum, Member

  
s/William L. Randash, Member



  
Attest:  
s/Brenda J. Wood, Clerk & Recorder

**PARKVIEW RETIREMENT COMPLEX (PVC) RENTAL AGREEMENT-** The Commission reviewed and Commissioner Baldwin, as Chairman, signed a PVC Rental Agreement for a tenant.

**EASTERN MONTANA DRUG TASK FORCE-** The Commission reviewed and Commissioner Baldwin, as Chairman, signed the Eastern Montana Drug Task Force Memorandum of Understanding for FY 2017 that establishes general guidelines for a multi-agency task force to address drug-related crime.

**9:30am- Mike Menger with Mike Menger Plumbing joined the meeting.**

Mike Menger joined the meeting to notify the Commission he needs to move a gas line in the ceiling of the Senior Citizen Center since all the roof drains are going to the west side.

**9:35am- Commissioner Ranum joined the meeting.**

**MID-RIVERS ENCROACHMENT PERMIT #611-** The Commission reviewed and Commissioner Ranum signed two Encroachment Permits for Mid-Rivers Telephone Coop to install new fiber optic cable along Shell Oil Road north of town.

**AMBULANCE PURCHASE-** The Commission discussed the Ambulance Department purchasing a new Ambulance. The Commission said they are concerned about the problems the Ambulances always seem to have and if there may be other dealers they could purchase one from.

**10:00AM ROAD DEPARTMENT UPDATES**

**Present: Alba Higgins, Shop Foreman; Bobby Wiedmer, Road Supervisor; Darcy Wassmann, County Attorney**

**MK WEEDEN GRAVEL DISCUSSION-** Bobby Wiedmer said the gravel mix from MK Weeden is excellent but he is concerned about the price. Bobby said the gravel contains more rock than they usually get but doesn't know if it warrants the \$10/ton price. Bobby and the Commission said they are concerned purchasing the gravel at this price would set a precedence for prices in the future. Darcy

Wassmann said they would have to put the gravel out to bid if they wanted to purchase it as the total amount would exceed \$80,000. Darcy said another thing to consider is the possibility of another contractor submitting a bid for the same type of gravel at a lower price than MK Weeden.

**10:20am- Shannon Hewson joined the meeting.**

The Commission and Bobby discussed MK Weeden's offer of reducing the price to \$9/ton if the County loaded and hauled it away. Bobby said the savings wouldn't be worth it since it would tie up two trucks and drivers for a month. The Commission and Bobby said they can always use gravel but aren't in a position to be forced to pay a premium for it. Darcy suggested Bobby Wiedmer notify MK Weeden the County recently purchased a large amount of gravel and the price is set too high and the Commission agreed.

**10:35am- Darcy Wassmann left the meeting.**

**SHOP UPDATES-** Alba Higgins gave updates on the vehicles and equipment that are being serviced or repaired this week. Alba said the new tractor has been delivered and will be in use this week. Alba said he is getting a quote to do maintenance and repairs on the scraper from Tractor & Equipment. Alba said since the scraper is set for a trade in three years the Commission should consider how much they want spend on these repairs.

**10:40am- Alba Higgins left the meeting.**

**ROAD UPDATES-** Bobby gave the Commission updates on the plans for the Road Crew this week. Bobby said he has also begun working on a plan to chip and seal some areas of the roads.

**PROJECT UPDATES-**

**Dryfork & Westmore Box Culvert Projects-** Shannon Hewson gave the Commission all signed agreements and forms from Shep's Welding for the Dryfork and Westmore Box Culvert Projects.

**Calumet Box Culvert Project-** Shannon said he sent out the agreement and award letter to Coon's Construction for the Calumet Box Culvert Project.

**10:45am- Dale Butori, Weed Supervisor, joined the meeting.**

**Cooper Bridge Replacement-** Shannon gave the Commission a cost estimate to replace the Cooper Bridge with a box culvert. Shannon said the bridge isn't slated for this year but wanted the Commission to consider it since the bids are competitive right now and coming in at much lower prices than before. Shannon said the Army Corps of Engineers and the Fish, Wildlife and Parks permits are in place for this bridge but will expire next year. Shannon said the landowner Right of Way Easements are also signed and the State Permit is the only permit still needed. Shannon said the State Permit is only valid for one year so they wouldn't apply for it until the project had a construction date. Shannon said there is a fiber line on the west side of the road and he has contacted Mid-Rivers about it.

**Upper Baker Lake-** Shannon said the City of Baker is reviewing the Operation and Maintenance Plan Supplement for the Upper Baker Lake and when they are finished he will notify the Montana Department of Natural Resources and Conservation.

**Lyle Neary Lot-** Shannon said he was notified there is a conflict with the Sanitary Exemption for the Lyle Neary lot and it has been given to Darcy Wassmann, County Attorney, to review.

**10:55am- Bobby Wiedmer and Shannon Hewson left the meeting.**

**11:00AM WEED SUPERVISOR JOB DESCRIPTION REVIEW**

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

Julie Straub and Dale Butori said they recently conducted a job audit for the Weed Supervisor position and presented the Commission with the revised job description. The Commission reviewed the job description and approved it.

Dale told the Commission it is expected the Environmental Protection Agency's (EPA) proposal of requiring restricted chemical sprayers to be at least 18 years old will be approved next year. Dale said he will have to manage his workers differently next year if this happens.

**11:10am- Julie Straub and Dale Butori left the meeting.**

**11:15AM MONTANA STATE REPRESENTATIVE CANDIDATE INTRODUCTION**

**Present: Luther Waterland, Montana State Representative Candidate**

Luther Waterland joined the meeting to notify the Commission he is running for the Montana State Representative position. The Commission and Luther discussed the challenges and activities in Fallon County and Luther asked the Commission to keep him informed about these things and others that arise.

### **11:30AM WINDOWS 10 UPGRADE DISCUSSION**

Andy Fujimori, IT Tech, was unable to attend the meeting therefore it was canceled.

### **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. 3 Ayes. 0 Nays. The motion carried unanimously.**

### **1:15PM RECONVENE**

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

**GUEST: David Havens, Member of the Public**

### **1:15PM LOBBYIST UPDATES**

**Present: David Turch, David Turch & Associates; Kodiak Hill-Davis, David Turch & Associates**

**Baker Lake Restoration Plan-** The Commission gave the Baker Lake Restoration Plan to David Turch and Kodiak Hill-Davis to review and pass onto Senator Tester. The Commission said they are frustrated as they submitted the Restoration Plan at the end of January and have heard nothing from the EPA yet. David said they will bring this information back to Washington D.C. on the County's behalf.

**FAA Airspace-** Kodiak said she has been working with Senator Daines's staff in drafting a letter addressing the FAA Air Space in Eastern Montana and Roger Meggers, Airport Manager, has put out a statement also. David said he is working on identifying measures in a bill that address Next Gen being implemented in airports. David said certain portions of the bill recommend airports that share air space with the military to be a priority in implementing the system. David said he is in full support of this as the Next Gen system would streamline information, track and document any MOA infractions by the Air Force and make Baker's air space safer and more protected. The Commission asked if Next Gen would affect the floor number the Air Force currently has in Baker's air space and David said from what he has read and been told he doesn't expect it to change. Kodiak said she and Senator Daines's staff have been reviewing and discussing the bill to ensure the implementation of this program would not allow the military to exploit the agreement by lowering the floor. David told the Commission to be mindful that things tend to change in the early stages of an MOA and that is why he and his staff continue to stay involved and on top of it.

**1:45PM- David Turch and Kodiak Hill-Davis left the meeting.**

### **1:45PM GOLF COURSE SUPERINTENDENT JOB DESCRIPTION REVIEW**

**Present: Eric Kary, Golf Course Superintendent; Julie Straub, Human Resource Manager**

Julie Straub and Eric Kary said they recently conducted a job audit for the Golf Course Superintendent position and presented the Commission with the revised job description. The Commission reviewed the job description and approved it. Julie said the job has not been classified yet but it appears it will be a non-exempt position as the majority of the work is manual labor. The Commission asked if Eric could continue to work at the Road Department in the winters if needed and Eric said he is still willing to help. Julie agreed and said even though the job description doesn't specify this type of work it does allow for additional duties to be assigned by the Commission. The Commission asked how Eric's overtime would be managed in the spring and fall months when he works 12 to 14 days per day if he becomes non-exempt. Julie said his "work week" can be adjusted to minimize the overtime if necessary, similar to the Sheriff Department's staff schedule.

**Purchase Requests-** Eric said he budgeted for repaving the cart path by Hole #3 and asked if he could do it now since it has been so dry and the Commission gave approval.

**2:00pm- Julie Straub and Eric Kary left the meeting.**

### **2:00PM COMMISSION WORK SESSION**

#### **MINUTES APPROVAL-**

The Commission reviewed the Commission Minutes for the weeks of March 7-11, 2016 and March 14-18, 2016.

**Commissioner Ranum made the motion to approve the Commission Minutes for the week of March 7-11, 2016 and March 14-18, 2016. Commissioner Randash seconded the motion.**

**Commissioner Baldwin asked for any other discussion and there was none. 3 Ayes. 0 Nays. The motion carried unanimously.**

**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.

**2:30PM MARCH CLAIMS APPROVAL**

**The Commission reviewed and approved the March Mid-Month Claims in the amount of \$197,238.45 and they are filed in the Clerk and Recorder's Office.**

**5:00PM STANHOPE WATER PROJECT DISCUSSION**

**Present: Jason Rittal, Eastern Plains Economic Development Corporation Executive Director; Greg Stahly and Ryan Rittal, Stahly Engineering**

The Commission, Jason Rittal, Greg Stahly and Ryan Rittal met to discuss if the County should contribute funds to assist the Stanhope Water/Sewer District in replacing their water lines. Summary points of the conversation were:

- The Stanhope Addition is needing to update their water lines from a 4 inch main to a 6-8 inch line in order to meet DEQ Standards. The Stanhope Addition also needs to have fire hydrants installed.
- The Commission would need to make a decision to contribute \$1.5 million within two weeks so Jason could apply for a grant to fund the remaining \$500,000-\$750,000 of project.
- The Commission does not want the County to be responsible for maintaining and repairing the water system once repairs are done and would rather it be the City of Baker's responsibility since the lines would be tied into the City water main. Jason said he would be concerned the County would end up paying for repairs or improvements in the future regardless who is "responsible" for it.
- In order for the water lines to become the City of Baker's responsibility the Stanhope Addition would need to be annexed into the City. There is concern the Stanhope Addition residents wouldn't want to be annexed into the City of Baker because of the City's zoning on livestock animals. Jason said the City could create a zoning district in Stanhope Addition to allow livestock animals. Jason said the advantage of not requiring Stanhope Addition to be annexed into the City of Baker is the County would be able to collect the water and sewer fees from the residents rather than the City.
- Jason said the Stanhope Addition could also act as their own Water/Sewer District similar to the North Baker Water/Sewer District and make the residents pay into a savings account that would attribute to the investment given. Jason said this option could pose as a bookkeeping headache and not be worth the effort due to the size of Stanhope Addition.
- Jason said the County can wait to decide and pursue it in two years when the next Grant opportunities open up. The Commission said they would like to pursue doing the project right away to take advantage of the current low construction costs. Jason said if this was done they would have to forego applying for the grant as it is a lengthy process with no guarantee of the grant being received.
- The Commission would like to set a requirement for the Stanhope Addition to be annexed into the City if the County pays for the project. The Commission said if they won't agree to this then they would need to submit a proposal on how they plan to maintain the system.
- Jason said the earliest the project could be done if they started on it right away would be Spring 2017. The Commission said they are concerned there may not be sufficient revenues in Spring of 2017 to fund the project. Greg Stahly said the design could be done now and would remain valuable as it can be used at any point in the future.

**5:40PM ADJOURN**

**Commissioner Randash made the motion to adjourn the meeting. Commissioner Ranum seconded the motion. 3 Ayes. 0 Nays. The motion carried unanimously.**

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ADJOURN  
s/Steve Baldwin, Chairman

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MINUTE TAKER:  
s/Lani J. DeBuhr, Clerk

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

**TUESDAY, MARCH 22<sup>nd</sup>, 2016**

**8:00-9:30AM SENATOR STEVE DAINES BREAKFAST AT THE TAVERN IN BAKER, MT**

Commissioner Baldwin and Commissioner Randash attended a meeting with Steve Daines and other members of the public to discuss activities, issues and concerns in our area.

**THURSDAY, MARCH 24<sup>th</sup>, 2016**

**10:30AM-2:30PM EASTERN MONTANA LEGISLATIVE/ENERGY MEETING IN MILES CITY, MT**

Commissioner Baldwin attended the Eastern Montana Legislative/Energy Meeting.