

MONDAY, OCTOBER 8, 2018

Court House Closed in Honor of Columbus Day – No Commissioner’s Meetings

TUESDAY, OCTOBER 9, 2018

9:00 AM CONVENE

PRESENT: Steve Baldwin, Chairman; Deb Ranum, Roy Rost, Members; Kelsey Phillips, Recording Clerk/Secretary

FALLON COUNTY COURTHOUSE

PUBLIC COMMENT –AGENDA/NON-AGENDA ITEMS

No one appeared for public comment.

9:25 AM Kodie Olsen, 4-H Program Assistant joined the meeting.

4-H Hay Bale Picture Judging- Kodie presented pictures of the bales that the different 4-H groups put together for 4-H week with the theme of “Dive into 4-H.” There is one bale placed in Carter County and five are in Fallon County. There will be a first, second and third place. The contest winners were chosen by the Commission in both counties. Commission made their decisions on their favorite hay bales.

9:32 AM Kodie left the meeting.

9:33 AM Shannon Hewson, Brosz Engineering joined the meeting.

Fish Survey- Dustan Davis, IT TECH, sent over his rough draft of the fish survey that will be posted online for public input. The Commission and Shannon reviewed the survey. There are still a few changes to be made, but it will be posted into the newspaper this upcoming week. It will be ready to be taken by Friday the 12th. There will also be one additional public meeting for public input. Discussion followed on why the Fish, Wildlife and Parks introduces these particular types of species and when the best time to introduce them into the Lake is, depending on the fish.

Baker Lake Updates- The Lake wetlands are moving along. The weather may have caused a few setbacks due to the large amounts of moisture. Shannon will talk with the pipelines, Denbury and WBI, as they have easements under the Upper Lake. A change order was received from Western Municipal for the berm for the slope with an amount that is more than what Shannon was expecting. He will respond saying it is not fiscally responsible at that high of a cost. Shannon will ask the contractor today if they can base it off of the State rates, which is figured by time and equipment. It is their site to maintain and we are in a contract with them. Discussion followed on how to control the water and what monitoring efforts will need to take place once the gates are opened. The gate will be opened on Monday the 15th at 1 PM.

10:02 AM Alba Higgins, Shop Foreman; Mitch Overn, Mechanic; Bobby Wiedmer, Road Supervisor joined the meeting.

No materials are being taken out in between the lakes, however materials will be added in to establish a wetland.

Sidewalk Project- Discussion on putting a hand rail at Parkview for safety concerns and to stop people from driving up onto the concrete. Shannon will meet with Diamond J to discuss the hand rail, which will be similar to what was put in at the Museum. The cracks at the Skatepark will need to be sealed. They aren’t bad right now, but they do need to be fixed.

10:16 AM Shannon left the meeting.

Road Department Updates- Pennell Road is needing some work done, as pipeline trucks have been running on it all weekend. An electric fence on Roxy Lane is too close to the County road without an easement. The electric fence will need to be moved back in order for the Road Crew to be able to mow. The Road Department hasn’t been hauling gravel lately. They will need to build a few approaches once the ground dries up. The 101 Road is open now, but Bobby advised the need for slow traffic in the area. He likes the look of the road and believes the slopes were done correctly. It will be paved at a later date. The Road Crew will be done mowing down south by the end of tomorrow.

Landfill Tire Shredder- This is the second week of renting the tire shredder at the Landfill. Alba has looked at the tire pile and believes they will need to rent it for an additional week. It was stored in a shed

for the weekend. The tractor tires will be shredded last because of the size. Providing nobody else needs it, it should be able to stay at the County for a week longer. The Landfill dozer will be serviced tomorrow.

Equipment- Bobby and Alba will need to go over the specs for the proposed Landfill loader with Tom Kachel, Landfill Manager. The mowing tractor will also need specs put together. The warranty on the loader has been extended to its limit. The five-year buyback is up this year; therefore, a decision will need to be made. They will need to be sure of the buyback date for the loader so it doesn't lose value. The fuel tank was ordered for the Kenworth but is not here yet.

10:44 AM Mitch and Alba left the meeting.

10:48 AM Terry Sukut, JGA joined the meeting.

10:52 AM Bobby left the meeting.

10:54 AM Debbie Wyrick, Deputy Clerk and Recorder joined the meeting.

Window Project- Windows are being put in the Court House this week by Cucancic Construction. All of the windows on the west side were done yesterday, which seems to be right on schedule. The new window system is better and thicker than what was previously there, as the new ones are a triple pane piece of glass. They will be putting trim on the inside of the building around the glass. Terry will speak with Cucancic about what they have in mind for the trim. In the entryway of the Court House they are going to install push buttons to open the doors automatically. Placement of the push buttons was discussed. Payment application #3 was received, as well as the certificate of liability from Cucancic.

Commissioner Ranum made the motion to accept Payment #3 from Cucancic Construction, INC. for an amount of \$128,938.75. Commissioner Rost seconded the motion. Commissioner Baldwin asked for any other discussion; being none. 3 Ayes. 0 Nays. The motion carried unanimously.

Hail Project- David Espeland, FMC CEO, has sent out a list of six items from the hail project that are still needing to be completed or repaired. He would like to make sure these items are not forgotten. Discussion followed on the remaining items on the punch list. A part of the fascia has blown off at one of the Parkview Apartments. Some of what has blown off was material that has been replaced previously. Terry will stay on top of that because there is a liability issue if someone were to get hurt. The downspouts on the east side of Parkview 2 need to be extended. It will be done by a local contractor. A downspout on the east end is hanging off the building, which will also be repaired.

First Dakota- The Commission has received a letter from First Dakota's attorney, which Terry discussed. He stated their various claims included needing more materials than what was stated in the bid specs, which were provided by the insurance adjustor. The bid required that the contractor was responsible to verify the specs and report back with changes or discrepancies, which they did not do until after substantial completion rather than prior to beginning the work.

12:39 PM Jade Boggs, Insurance Store joined the meeting.

Another claim FDE makes is that their bid did not include removing and replacing the entire HVAC unit, just the hail damaged portion, which the County and Terry understood to mean remove and replace the entire unit. FDE is claiming incurring more cost to move the electrical work which was disclosed on the bid specs. The letter was also sent to the local insurance agent, Jade Boggs, when it was received by the County.

12:48 PM Debbie left the meeting.

12:53 PM Jade left the meeting.

Concessions Building- The drains for the ice dispensers in the Concessions Building at the Fairgrounds have been installed. Terry was happy with the installation of them. They are set up inside of the building and are trapped down below; therefore, they will need to be winterized. The electrical is also done and they have added the extra circuits. The layout was changed again, but from what Terry is hearing from Shyla Hadley, Fairgrounds Manager, she wasn't aware of any issues during the Fair this year. One of the big ducts on the Lutheran side were going to be looked at by the original construction company. The roll down shutters were adjusted and are now able to shut and lock. Discussion on what will need to be added to the owner's manuals for the equipment in the Concessions Building.

Jail Museum- The stucco on the Museum needs repaired. King Construction did an evaluation of what is needing to be done. Patching the area wouldn't look right because that type of material is no longer available and it would probably not last long. The Commission would like it fixed correctly and long-term. The biggest concern is scheduling. The repairs cannot be done until Spring because of the

weather. A check for asbestos will also be done. The plantings around the building will need to be avoided. The quote from King Construction is based off of measurements, however it does not include a final painting cost. Terry will double check with the State for information on repairing a building that is on the Historical Registry. Before any repairs are made, the Commission would like a letter of approval from the State. Terry reviewed different repairs that may be applicable. With the amount of cost needed for the repairs, it may need to be a bid project.

1:10 PM Joe Janz, Outside Building Maintenance joined the meeting for public comment.

HVAC- A company from Miles City will be completing the repairs for the Sheriff's HVAC system. Discussion on the catwalk that is needed on the roof and the size it will take to surround that unit. Terry explained that it will take a large amount of steel and will be very heavy, which would require a structural engineer. If the repairs do not go as planned, Terry would like the Commission to be open to discussing replacing the unit. The bid specs would have to be ready for the Spring, before the heat of summer sets in.

1:18 PM Dick Vande Bossche, ONEOK joined the meeting.

1:19 PM Terry left the meeting.

Outside Maintenance Pickup- Joe would like to use the pickup that DuWayne Bohle, Previous Special Project Maintenance Worker, used to drive for the County. Joe explained that his current pickup has high mileage and engine issues. As for now, he does not plan to take the pickup home with him. The Commission agrees. It is undecided what the Commission would like to do with Joe's current pickup.

Extra Assistance- Commission asked Joe if he would be able to help out with snow removal at both the Fairgrounds and the Gun Range over the winter months. Joe explained that he would be available for assistance when needed. Commission will discuss the hours that will be needed in those departments and get back to him. Trash removal in the barn is also needed. The Court House will be the first priority, followed by the Fairgrounds and the Gun Range. Joe will keep a log of the time he spends at each department for the Commission.

1:26 PM Joe left the meeting.

Road Use Agreement- Darcy Wassmann, County Attorney, and the Commission have discussed in depth the changes that they will be making to the Road Use Agreement with ONEOK. The changes that have been made to the agreement are on the agenda today for the Commission to review and approve. The difference in the agreement is the payment for the pre and post assessment that will be completed by Stahley's Engineering. Carter County has decided to split the cost 50/50 with ONEOK for the assessment because they believed there was mutual benefit to both the County and to ONEOK. Previously for Fallon County, TransCanada was held accountable for the full cost. Dick expressed that ONEOK is a good corporate source to Fallon County and they pay their fair share of property tax each year. The Commission will decide today when they discuss with Darcy. ONEOK would like to be able to start preparing for production by the Spring of 2019, as they hope to be ahead of the other pipelines and out of the County by the time the other pipelines arrive. An agreement with Stahley's Engineering is still in the works as well.

1:47 PM Dick left the meeting.

1:58 PM Commissioner Baldwin left the meeting.

2:00 PM Darcy Wassmann, County Attorney joined the meeting.

2:01 PM Jade Boggs, Insurance Store; Terry Sukut, JGA joined the meeting.

2:03 PM Debbie Wyrick, Deputy Clerk and Recorder joined the meeting.

2:05 PM Mary Grube, Planner Administrative Assistant joined the meeting.

Land Use Permit- Darcy and Mary have reviewed both formats of the land use permit applications. One of the formats is more specific than the other. They would like to start from scratch in order for both parties to be on the same page. The applications can be used for different areas in the County, such as camp grounds, parks and the Lake. The regulations for use will need to be black and white. The Commission will review the rough drafts and give changes to Darcy before a final draft is made. Forrest Sanderson, Planner, would like there to be an administrator to handle the permits. This will be back on the agenda in the next couple weeks for discussion.

2:17 PM Mary left the meeting.

2:23 PM Commissioner Rost made the motion to go into Executive Session. Commissioner Ranum seconded the motion. Commissioner Ranum asked for any other discussion; being none. 2 Ayes. 0 Nays. 1 Absent (Commissioner Baldwin). The motion carried.

3:03 PM Commissioner Rost made the motion to come out of Executive Session. Commissioner Ranum seconded the motion. Commissioner Ranum asked for any other discussion; being none. 2 Ayes. 0 Nays. 1 Absent (Commissioner Baldwin). The motion carried.

3:11 PM Darcy, Terry, Jade and Debbie left the meeting.

3:12 PM Shyla Hadley, Fairgrounds Manager joined the meeting.

Winter Help-Shyla would like to know what the Commission has decided for winter help out at the Fairgrounds. She has talked to Floyd Ehret and he is more than willing to help throughout the winter. Shyla anticipates she will need an average of 20 hours of help per week. She has also spoke with Julie Straub, HRM, regarding the job description. During the winter months, he would be removing snow and keeping up with the arena, as there is more usage in the arena during the winter. Other duties would include keeping up with the fire suppression system each day, cleaning out the alley ways, barn maintenance, keeping bathrooms stocked, making sure the plumbing is working correctly, and helping with the set up for the Wild Game Feed. While Shyla is at Fair Convention, he would keep an eye on the Fairgrounds and help winterize different systems. Commission informed Shyla that they are looking at different options that are already within the workforce at Fallon County year-round. No decision has been made thus far, but if they decide to keep Floyd employed throughout the winter, his 30-day break from employment will need to start as soon as possible in order for him to maintain his seasonal status. Shyla and Floyd have discussed the possibility of today being Floyd's last day for a 30-day period. Shyla asked the Commission what other avenues they are looking at and Commission explained they would have Joe Janz, Outside Building Maintenance, help out as needed. The Commission will need to discuss before deciding. Commissioner Ranum expressed that there are enough employees already employed year-round that will be able to complete the work needed. Commission would like Floyd to continue his seasonal employment until the end of this pay period and then have him take his 30 days if that is what is decided.

3:27 PM Shyla left the meeting.

Commissioner Rost made the motion to accept the minutes from October 1-5, 2018 with corrections. Commissioner Ranum seconded the motion. Commissioner Ranum asked for any other discussion; being none. 2 Ayes. 0 Nays. 1 Absent (Commissioner Baldwin). The motion carried.

Commission Work Session

Commission reviewed various e-mails, correspondence, revenues, reports, board minutes and agendas. They also approved the Budget Amendment Resolution #1005.

4:45 PM Commissioner Rost made the motion to adjourn the meeting. Commissioner Ranum seconded the motion. Commissioner Ranum asked for any further discussion; being none. 2 Ayes. 0 Nays. 1 Absent (Commissioner Baldwin). The motion carried.

s/Steve Baldwin, Chairman

Minutes:

s/Kelsey Phillips, Recording Clerk

Attest:

s/Brenda Wood, Clerk and Recorder