

MONDAY, JULY 5, 2021

NO COMMISSIONER MEETINGS – ALL COUNTY OFFICES CLOSED

TUESDAY, JULY 6, 2021

**9:00 AM CONVENE**

**PRESENT: Roy Rost, Chairman; Steve Baldwin, Kevin Braun, Members; Kelsey DuCharme, Recording Secretary  
FALLON COUNTY COURTHOUSE**

**The Pledge of Allegiance was held in the Commissioner's Office to start off the week.**

**PUBLIC COMMENT –AGENDA/NON-AGENDA ITEMS**

No one appeared for public comment.

**9:27 AM Randy Hoenke, Fire Warden; Kimberly Jensen, AP Clerk joined the meeting.**

**Rural Fire/Fire Warden Budget Discussion-** Randy is not expecting any changes in the upcoming budget. It will remain the same as the last Fiscal Year budget.

**9:32 AM Randy and Kimberly left the meeting.**

**9:57 AM Bobby Wiedmer, Road Superintendent joined the meeting.**

**Road/Shop Updates-** The oil for chip sealing is coming early next week. The Golf Course will be shut down next Monday and Tuesday in order to chip and seal the cart paths. The bucket for the chips has not been delivered yet. It should be here between today and Thursday. Discussion on the packer and rollers that could be used for the project. Bobby likes his new pickup that was recently purchased. The Road Crew plans to widen out a few approaches up north this week.

**10:10 AM Bobby left the meeting.**

**11:00 AM Lynda Herbst, Inside Custodial Supervisor; Julie Straub, HRM joined the meeting.**

**Permission to Recruit-** Judy Hunt, Inside Custodian Assistant, is planning to retire in September. She currently is scheduled at 20 hours per week. Lynda would like to start the recruitment process.

**11:05 AM Lynda left the meeting.**

**Commissioner Baldwin made the motion to begin recruitment for the Inside Custodian Assistant.**

**Commissioner Braun seconded the motion. Commissioner Rost asked for any other discussion; being none. 3 Ayes. 0 Nays. The motion carried unanimously.**

**11:09 AM Julie left the meeting.**

**11:10 AM Dale Butori, DES/911 Coordinator joined the meeting.**

**DES/911/LEPC Additional Budget Discussion-** Dale had forgotten during his budget meeting to account for a few different items. In DES, he is needing a flammable cabinet for the hand sanitizer. The prices vary, it would be maximum price of about \$2,500. Dale will look into prices further. He would also like to host a training at the Exhibit Hall with 911 training funds. He is expecting it to be about \$1,500.00.

**11:30 AM Dale left the meeting.**

**Commissioner Baldwin made the motion to approve the minutes from June 28 – July 2, 2021, with corrections.**

**Commissioner Braun seconded the motion. Commissioner Rost asked for any other discussion; being none. 3 Ayes. 0 Nays. The motion carried unanimously.**

**11:52 AM Commissioner Braun made the motion to take a noon recess. Commissioner Baldwin seconded the motion. Commissioner Rost asked for any other discussion; being none. 3 Ayes. 0 Nays. The motion carried unanimously.**

**NOON RECESS**

**1:15 PM RECONVENE**

**PRESENT: Roy Rost, Chairman; Steve Baldwin, Kevin Braun, Members; Kelsey DuCharme, Recording Secretary  
FALLON COUNTY COURTHOUSE**

**PUBLIC COMMENT –AGENDA/NON-AGENDA ITEMS**

**1:15 PM Debbie Wyrick, Deputy Clerk and Recorder joined the meeting.**

**County Auction-** Discussion on the County Auction that will take place in September. An itemized list will need to be sent to JK Kinsey.

**1:18 PM Darcy Wassmann, County Attorney joined the meeting.**

**1:23 PM Debbie left the meeting.**

**1:27 PM Kimberly Jensen, AP Clerk joined the meeting.**

**County Attorney Budget Discussion-** Darcy would like a SMART Board to be purchased for the Courtroom. The office supplies line item will be increased, as the stipend from Carter County is no longer received as Darcy is no longer their County Attorney. She is expecting a few different trials this year, which will include using Susan Swimley, Land Use Attorney.

**1:47 PM Kimberly left the meeting.**

**1:54 PM Sara Berger, Weed Control Coordinator joined the meeting.**

**1:55 PM Darcy left the meeting.**

**1:58 PM Dale Butori, DES/911 Coordinator joined the meeting.**

**2:00 PM Julie Straub, HRM joined the meeting.**

**Fire Safety Concerns-** A seasonal Weed Crew employee is unwilling to utilize a side-by-side due to drought conditions and concerns about fire. The employee stated if required to use the side-by-side, they will resign. Sara formulated an initial plan with the employee to only be in a road truck. After discussion of job requirements, the Commission determined this is not realistic or feasible and will therefore accept the employee's resignation. The Crew starts at 4:30 AM and they always have extinguishers and water with them. They are done by mid-morning. Quite a few of the landowners have crossed their names off the list for this year. The Commission made the decision that the Crews will no longer be spraying personal property this year due to dry weather. Sara will contact everyone involved. They will no longer spray BLM, State or personal property and will only work on the County roads.

**2:23 PM Julie, Sara and Dale left the meeting.**

**2:35 PM Darcy Wassmann, County Attorney joined the meeting.**

**Revise, Discuss Draft Retirement Complex Management Agreement-** The FMC Management and the Parkview agreements used to be the same agreement. It will now be two separate agreements, one being the FMC Management agreement and the other being the Parkview Retirement Complex Management agreement. Darcy reviewed the proposed agreement.

**2:46 PM Alyssa Miller, Chamber Member; Aaron Skogen, Superintendent of Schools joined the meeting.**

**Commissioner Baldwin made the motion to approve as drafted adding a 180-day notice to terminate for both parties the Parkview Retirement Complex Management Agreement. Commissioner Braun seconded the motion. Commissioner Rost asked for any other discussion; being none. 3 Ayes. 0 Nays. The motion carried unanimously.**

**2:52 PM Darcy left the meeting.**

**3:00 PM Jade Boggs, Dean Wang, Chamber Members joined the meeting.**

**Baker Chamber Discussion-** The Recreation Department has been up for discussion in the Chamber meetings. They have tossed around the idea of the Chamber handling the Recreation Department, since there is no longer one in Fallon County. They have discussed the possibility of hiring two part-time people, one in the office and one in the public to handle all activities included into the Rec Department. They have compiled the research of costs of the previous Rec Department with the City of Baker. They still need to figure out equipment use, facility use, and funding. Jade explained that they plan to talk with the City Council about facilities and

equipment use. They have also looked into additional funding, such as the basketball tournament, golf tournament, 3-on-3 tournament, etc. As long as community cooperation stays consistent, it could be a very good program for Fallon County. They have even looked into restructuring the sponsorship letter that is sent out and have different levels to sponsor. There has been quite a bit of donor interest at this point. The Commission is interested and would like to view more in-depth numbers once they are available.

**3:09 PM Jade, Aaron and Alyssa left the meeting.**

**3:15 PM Dean left the meeting.**

#### **3:30 PM CLAIMS APPROVAL-**

**The Commission reviewed and approved the end of the month claims for the end of the month of June 2021 in the amount of \$406,284.64. They are filed in the Clerk and Recorder's Office.**

#### **COMMISSION WORK SESSION**

The Commission reviewed, revenues received, reports, emails and other correspondence, board minutes and agendas. They would like to pursue setting up a resolution and continuing research on House Bill 102 – Concealed Weapons Carry in Buildings. The Airport Grant Application Amendment Request was signed. The Commission will not sign the proposed Sewer Line Interlocal Agreement with the City of Baker. They are waiting to hear back from Terry Sukut, JGA, regarding the Montana Historic Preservation Grant for the Museum. The Contractor Agreement to complete Study Review of County Road Status Project will be added to the agenda for signatures next week.

**Commissioner Baldwin made the motion to adopt Resolution #1066 – Fiscal Year 2022 Salary Resolution.**

**Commissioner Braun seconded the motion. Commissioner Rost asked for any other discussion; being none. 3 Ayes. 0 Nays. The motion carried unanimously.**

**Commissioner Baldwin made the motion to accept the cancellation of bad debt to the Landfill in the amount of \$5,247.63. Commissioner Braun seconded the motion. Commissioner Rost asked for any other discussion; being none. 3 Ayes. 0 Nays. The motion carried unanimously.**

**Commissioner Braun made the motion to accept the Johnson Control Bid for the Fire Suppression Systems in the amount of \$15,417.28. Commissioner Baldwin seconded the motion. Commissioner Rost asked for any other discussion; being none. 3 Ayes. 0 Nays. The motion carried unanimously.**

**Commissioner Braun made the motion to allow the Fair Board to purchase Wash Racks from Wyrick Construction in the amount of \$8,500.00. Commissioner Baldwin seconded the motion. Commissioner Rost asked for any other discussion; being none. 3 Ayes. 0 Nays. The motion carried unanimously.**

**Commissioner Braun made the motion to sign the Memorandum of Understanding with Predator Controls for the new fiscal year. Commissioner Baldwin seconded the motion. Commissioner Rost asked for any other discussion; being none. 3 Ayes. 0 Nays. The motion carried unanimously.**

**The Commission reviewed and approved timesheets for the month of June 2021 in the amount of \$647,315.64. They are filed in the Clerk and Recorder's Office.**

**4:15 PM Commissioner Braun made the motion to recess for the evening. Commissioner Baldwin seconded the motion. Commissioner Rost asked for any other discussion; being none. 3 Ayes. 0 Nays. The motion carried unanimously.**

#### **EVENING RECESS**

**WEDNESDAY, JULY 7, 2021**

#### **9:00 AM RECONVENE**

**PRESENT: Roy Rost, Chairman; Steve Baldwin, Kevin Braun, Members; Kelsey DuCharme, Recording Secretary  
FALLON COUNTY COURTHOUSE**

#### **PUBLIC COMMENT – AGENDA/NON-AGENDA ITEMS**

**PRESENT: Teresa Christensen, Dean Wang, Brenda Stoddard, Doug Varner, Theresa Myers, Judy McWilliams**

**FMC Management Agreement-** It was asked what precedent the State Statute sets if the County cannot subsidize other entities, including SMART. The Commission is looking into it, as they are concerned as well. Brenda asked that the lifeline system is also clarified when the agreement is discussed. There are concerns by a few members of the group that the financial stability is being put at risk and inviting other hospitals in to take over. Jobs and wages would be at risk. Discussion followed.

**9:23 AM David Espeland, FMC CEO; Margie Losing, FMC CFO joined the meeting.**

It was stated that the confidence in FMC needs to be built back up in the community, and that the public needs to be more involved with the hospital in order to produce more income, which includes hiring local providers. It is believed that the Community Health Needs Assessment may have been interpreted wrong by the patrons.

**9:26 AM Karol Zachmann, FMC Employee; Darcy Wassmann, County Attorney joined the meeting.**

The Health Needs Assessment is not an indication that the services have dropped; the survey is purely random. It is based on the zip code and sent by a third party. The questionnaires need to remain consistent within the state, so it can be interpreted multiple different ways. Discussion on the amount of people that are still using FMC as their healthcare facility. The rural healthcare provider turnover is a nationwide issue.

**9:31 AM Steve Zachmann, City Mayor joined the meeting.**

**9:32 AM Commissioner Rost closed public comment.**

**9:32 PM Theresa, Brenda, Dean, Judy, and Doug left the meeting.**

**Decision, Approval and Signage of Final Healthcare Facilities Lease Agreement-** The Commission would like to meet with the FMC Board and David to run through the agreement before it is finalized. Darcy believes that it may be more productive to send them a draft and then hear their thoughts, so that there is a starting point of discussion. The drafted proposed agreement has been sent to the FMC Board. The Commission may attend their board meeting tonight to hear their thoughts, but no decisions will be made. The subsidy issue needs to be resolved. The main goal is for FMC to continue success. If the County wants to continue to give a subsidy, it needs to be legal. Discussion on what can be included into the maintenance budget, such as utilities, fire suppression systems, maintenance contracts, etc. Darcy is still working on reaching out to other counties and the Attorney General for guidance. She is also waiting to hear back from MACo. The cost report helps FMC get money back each year, which is why the County pays reimbursement on maintenance contracts and utilities. We need to be sure to continue looking at the assets as well as expenses. FMC needs to have assets on the books to be able to get the depreciation. The current Management Agreement allows assets to be on both the County books and the FMC books. The Commission does not want to sign this proposed agreement at this time because they are not comfortable with the wording. Both entities are wanting the same thing and would like to come to an agreement. We will continue to wait for more clarification before moving forward. The lease is not going to a different company, regardless that the agreement is not signed at this point. The County intends to continue to work on this agreement and plans to sign the lease with FMC. No further decisions were made.

**10:03 AM Steve, Darcy, Karol and Theresa left the meeting.**

**FMC Updates-** Margie reviewed the May financials. It was a slower month, with 24 inpatient days and 21 skilled days. The financials were reviewed in depth with the Commission. There is currently an unresolved issue with a repair in one of the elevators. A few of the air conditioners in the Parkview Apartments are not working correctly. The Commission updated David that the County has just awarded Johnson Controls the bid for the fire suppression systems. The bid does cover FMC if they would like to use Johnson Controls as well. It is for quarterly visits. David is in agreement and would like to use them as well. We will need an updated bid that breaks down Parkview and FMC separately. A Discussion on the bids that were received and the bid process.

**10:42 AM Margie and David left the meeting.**

**10:45 AM Commissioner Braun made the motion to adjourn. Commissioner Baldwin seconded the motion. Commissioner Rost asked for any other discussion; being none. 3 Ayes. 0 Nays. The motion carried unanimously.**

**ADJOURN**

**Wednesday, July 7<sup>th</sup> – The Commission attended the FMC Board Meeting at 5:30 PM. They discussed setting up work sessions with both the Commission and the FMC Board members to work on the FMC Management Agreement.**

**s/Roy Rost, Presiding Officer**

**s/Kelsey DuCharme, Recording Clerk**

**ATTEST:**

**s/Brenda J. Wood, Clerk and Recorder**