

9:30 AM CONVENE

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

9:30 AM 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.

Commissioner Baldwin made the motion to approve the minutes from March 22-26, 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.

9:55 AM Mark Sieler, Road Foreman; Julie Straub, HRM joined the meeting.

Road/Shop Updates- Bobby Wiedmer, Road Superintendent, is at MACRs training this week. The Road Crew is hoping to get the dozer out of the shop this week. They have been fighting water in the fuel and the fuel pressure has been bad. The Commission asked Mark if it would be possible for them to purchase all their fuel from Prairie Fuels, so that it would stay local, instead of going through Beach. They would like to make this switch as long as the quality of the fuel is correct, and the pricing stays competitive.

Permission to Hire Operator- Last week, Operator interviews were held. It is recommended to hire Bryan Batchelor for the Operator position at the Road Department.

Commissioner Braun made the motion to hire Bryan Batchelor for the Operator position. Commissioner Baldwin seconded the motion. Commissioner Rost asked for any other discussion; being none. 3 Ayes. 0 Nays. The motion carried unanimously.

10:04 AM Julie and Commissioner Baldwin left the meeting.

10:15 AM Mark left the meeting.

10:55 AM Julie Straub, HRM joined the meeting.

10:58 AM Stacey Moore, Director of Library Services joined the meeting.

Permission to Hire Library Aide- Two separate interview rounds were held for the Library Aide. They would like to hire Kayla James as the Library Aide.

Commissioner Braun made the motion to hire Kayla James for the Library Aide position. Commissioner Baldwin seconded the motion. Commissioner Rost asked for any other discussion; being none. 3 Ayes. 0 Nays. The motion carried unanimously.

11:04 AM Julie and Stacey left the meeting.

11:06 AM Dustan Davis, IT TECH joined the meeting.

Comodo Anti-Virus Renewal- The Comodo Anti-Virus is needing renewed. It is a 3-year contract. The cost is \$11,000.00.

Commissioner Baldwin made the motion to renew the Comodo Anti-Virus in the amount of \$11,000 for a 3-Year Contract. 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 Dustan left the meeting.

11:10 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

No one appeared for public comment.

1:57 PM Mark Sieler, Road Foreman joined the meeting.

2:02 PM Darcy Wassmann, County Attorney joined the meeting.

Denbury Road Use and Repair Agreement- Denbury had sent a version of the road use agreement that they would like the Commission to sign. There are multiple changes that the Commission would like to be different in the proposed agreement. The Commission would like this agreement to be similar to the one with ONEOK, as that worked out well for both parties. They would like it to state that Denbury pays for all the engineering and all damages to the County roads caused by their vehicles. Stahley Engineering would be hired by Denbury for the analysis of the roads before and after the project.

Letter of No Objection for Their Use of 101 Road During Construction- Denbury would like to use part of the 101 Road during their project. The graveled portion of the road is a County road but has a State right-of-way, which is why the Commission cannot give permission to use the road ditches. Denbury is asking for a letter of no objection from the County that states there is no objection to the construction in the ditch. It is a State Secondary road, therefore they would need the permits for the State. The Commission has a meeting with MDT on Wednesday and will discuss further. As long as Denbury is able to receive all their permits with the State, the County has no objections. The County has no jurisdiction in the right-of-way, only the graveled part will be in the agreement. Darcy will be in contact with Denbury.

2:24 PM Darcy and Mark left the meeting.

2:54 PM Lisa Rieger and Randy Tunby, Members of the Public joined the meeting.

2:56 PM Craig and Wanda Pinnow, Members of the Public joined the meeting.

2:58 PM Tom Owens, Member of the Public joined the meeting.

3:00 PM Dalin Tidwell, USDA Wildlife Services joined the meeting via teleconference.

Predator Control- The USDA Wildlife Services is out of funds from Fallon County for predator control, as the money for the 2020-2021 MOU has been exhausted and is now in a deficit. The Commission will need to decide if they are going to amend the Memorandum of Understanding or add to those funds. The second half funds have not yet been billed for. There was a carryover of remaining funds from last season. Some of the sheep money was able to be redirected and put towards predator control. There has been about 8 flights requested that have been rejected due to lack of funds. Each June, a MOU is sent out to the counties, which is broken out to two different billings to match up with the collection of taxes. Whatever funds are not used will roll forward to the next MOU year. It is extremely hard to budget for the year because it is unknown what will be used each year. The funding for Stockgrowers comes from Oil and Gas monies; Woolgrowers comes from taxes received. The estimate for funds needed to get the County covered until July is between \$6,000-\$8,000. The Commission would like summaries of the work completed in Fallon County for the last few years. The Commission is interested in continuing to pay the MOU twice a year and then receiving reports each 6 months. A correlated summary will be given when the MOU is sent out.

3:27 PM Dalin hung up the phone, therefore leaving the meeting.

The Commission was never contacted about the budget deficit. A member of the public had called to use it and they were told there were no available funds. The County would need to amend their budget to accommodate the additional funds.

3:39 PM Lisa, Randy, Craig, Wanda and Tom left the meeting.

3:40 PM Kimberly Jensen, AP Clerk joined the meeting.

Cell Phone Status Updates- Kimberly reviewed the usage on the cell phone bills, and there are three ambulance phones that have hardly been used within the last year. She asked if these could be downgraded from smart phones to flip phones, as they are mandatory to be kept in the ambulances. The Commission will look into it, as they are unsure if they are needed to be smart phones for the GPS function.

3:43 PM Kimberly left the meeting.

COMMISSION WORK SESSION

The Commission reviewed, revenues received, reports, emails and other correspondence, board minutes and agendas.

4:45 PM Brandon Janshen, Chad Sutter, SDI Architects joined the meeting via teleconference.

Parkview 1 Upcoming RFP Items- Chad and Brandon asked the Commission about the added cost items as far as the repairs of the utilities that have been dug up and struck and if they should be added to the RFP items. Chad does not have a breakdown of the cost of the repairs. A replacement vault has been drawn out. The Commission agreed that because they are the owners of this project, the County will pay for the repairs. Chad will put together the RFP on the vault and the waterline by 4th Street. Two Direct Electric bills have been sent to repair the heat tape. It is unknown if it should be billed to Fallon County or to TW Clark. Chad will look into it.

5:00 PM Brandon and Chad hung up the phone, therefore leaving the meeting.

5:00 PM Commissioner Braun made the motion to recess the meeting. Commissioner Baldwin seconded the motion. Commissioner Rost asked for any other discussion; being none. 3 Ayes. 0 Nays. The motion carried unanimously.

TUESDAY, MARCH 30, 2021

1:00 PM

PRESENT: Roy Rost, Chairman; Steve Baldwin, Kevin Braun, Members; Kelsey DuCharme, Recording Secretary; Craig Canfield, KLJ Engineer; Roger Meggers, Airport Manager; Darin Meggers, Airport Assistant Airport Manager

FALLON COUNTY COURTHOUSE

AIRPORT BID OPENING – No bids were received. The bid date will be extended to April 13th at 1:00 PM.

Commissioner Baldwin made the motion to re-bid the project and have the opening date on April 13th at 1:00 PM in Baker MT. Commissioner Braun seconded the motion. Commissioner Rost asked for any other discussion; being none. 3 Ayes. 0 Nays. The motion carried unanimously.

1:18 PM Craig, Roger and Darin left the meeting.

1:18 PM Commissioner Braun made the motion to recess the meeting. Commissioner Baldwin seconded the motion. Commissioner Rost asked for any other discussion; being none. 3 Ayes. 0 Nays. The motion carried unanimously.

WEDNESDAY, MARCH 31, 2021

9:45-10:30 AM – UPPER BAKER LAKE PROJECT WALK-THROUGH/Shannon Hewson, Brosz Engineering; Youderian Construction

10:30 AM

PRESENT: Roy Rost, Chairman; Steve Baldwin, Kevin Braun, Members; Kelsey DuCharme, Recording Secretary; Shane Mintz, Mike Skillestad, Montana Department of Transportation; Mark Sieler, Road Foreman

FALLON COUNTY COURTHOUSE

Bridge Load Posting Program- The Bridge Load Posting Program was reviewed, as new Federal guidelines have been released. The County has two bridges left that the Commission is planning to fix in the future. The bridge load posting means restricting vehicle weight on bridges. Discussion on what changes MDT will be taking regarding the updated posting program. The County will need to post the bridges, as the Federal government is watching closely and following up with MDT.

Denbury Road Haul Agreement- The Commission explained that Denbury is wanting to use the 101 Road for their Road Haul for the pipeline. They have not yet been in contact with MDT. They need to use the road ditch as part of their construction in order to go around other lines that have already been placed. The finished product will be inside the fence, but they need the right-of-way to construct. It would be a temporary permit. They will also need to bore the road to get through to the other side, which will need a permit as well. Shane explained that the County has the authority to allow this to happen on the State Secondary Highway. Whatever the Commission decides with Denbury for the 101 Road will not be an issue with MDT. The Commission has asked

Denbury to speak with MDT as well. Shane will double check to make sure that the Highway Commission does not need to approve of the project before it moves forward.

South Plevna Road- Two different options were given to the Commission for the pulverization of the South Plevna Road. The only differences in the two options are where the pavement section would end for MDT. MDT will be taking care of both the bridges in the areas. It is a very low volume road; therefore, the repairs are not a pavement preservation project. It would have to be a capital construction job, which are not able to be done frequently.

Shell Oil Road- The paved portion of Shell Oil Road could be switched to a State road, instead of County. They would be able to maintain and plow it because of the location. In the agreement, the condition could be added stating that they could overlay the first few miles and then pulverize the rest. New inspection reports will be done on the culverts for both Shell Oil Road and the South Plevna Road. Public involvement is a requirement as well.

11:58 AM Shane, Mike and Mark left the meeting.

11:58 AM Commissioner Braun made the motion to recess the meeting. Commissioner Baldwin seconded the motion. Commissioner Rost asked for any other discussion; being none. 3 Ayes. 0 Nays. The motion carried unanimously.

THURSDAY, APRIL 1, 2021

**PRESENT: Roy Rost, Chairman; Steve Baldwin, Kevin Braun, Members; Brenda J. Wood, Clerk & Recorder
FALLON COUNTY COURTHOUSE**

8:45 AM – CLOSED SESSION – LITIGATION

Commissioner Baldwin made the motion to go into Executive Session. Commissioner Braun seconded the motion. Commissioner Rost asked for any other discussion; being none. 3 Ayes. 0 Nays. The motion carried unanimously.

9:01 AM Commissioner Braun made the motion to come out of Executive Session. Commissioner Baldwin seconded the motion. Commissioner Rost asked for any other discussion; being none. 3 Ayes. 0 Nays. The motion carried unanimously.

The Commission called the agenda item to discuss a settlement offer in Thielen v. Fallon County. The Commission determined that the discussion of the settlement in open meeting would be detrimental to the County's position in the matter and closed the meeting. The minutes of the closed part of the meeting will be maintained by the Clerk and Recorder in accordance with 2-3-212(4), MCA.

9:02 AM – CLOSED SESSION – PERSONNEL

Commissioner Baldwin made the motion to go into Executive Session. Commissioner Braun seconded the motion. Commissioner Rost asked for any other discussion; being none. 3 Ayes. 0 Nays. The motion carried unanimously.

9:25 AM Commissioner Baldwin made the motion to come out of Executive Session. 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 terminate Tom Kachel's employment with Fallon County. Commissioner Braun seconded the motion. Commissioner Rost asked for any other discussion; there being none. 3 ayes. 0 Nays. Motion carried unanimously.

9:30 AM Commissioner Braun made the motion to adjourn the meeting. Commissioner Baldwin seconded the motion. Commissioner Rost asked for any other discussion; being none. 3 Ayes. 0 Nays. The motion carried unanimously.

MEETING ADJOURNED

s/Roy Rost, Presiding Officer

s/Kelsey DuCharme, Recording Clerk

ATTEST:

s/Brenda J. Wood, Clerk and Recorder