

Monday, May 10, 2021

10:00 AM CONVENE

**PRESENT: Steve Baldwin, Acting Chairman; Debbie Wyrick, Deputy Clerk and Recorder-Secretary
FALLON COUNTY COURTHOUSE**

Most meetings cancelled, due to COVID Quarantine.

**10:00 AM Canvass Committee: Commissioner Baldwin, Sheriff, Trenton Harbaugh and Treasurer,
Barbara Ketterling**

Plevna Rural Fire District – Mail Ballot Election - May 4, 2021 Election

Vote for Two:

Shaun Crisler 100 votes

Robert W Thielen 14 votes

Write-In Larry Steffes 100 votes

Total electors voting 122

Health Facility Levy – Mail Ballot Election - May 4, 2021

For Levy 426 votes

Against Levy 445 votes

Total Electors voting 871

10:10AM Barbara Ketterling and Trenton Harbaugh left the meeting.

**10:30AM Discuss & Re-Bid Airport Aviation Fueling System: Commissioner Braun, Commissioner
Rost, Roger Meggers – Airport Manager and Craig Canfield - KLJ Engineer via phone**

Craig recommends rejecting all bids and re-bidding the project. Reasons: One bid, the specs were not followed as laid out; another bid was excessively high.

Changes would be made to the bid specs and re-bid this project, with a possibility of extra funds from Laurel Airport Authority, Non-Primary Entitlement FAA funds. Discussion.

Commissioner Rost made a motion to reject all bids and return bid bonds for Airport Aviation Fueling System project; Commissioner Braun seconded, no further discussion Commissioner Baldwin called for a vote Ayes 3 Nays 0. Motion carried unanimously.

Commissioner Rost made a motion to borrow the money from Laurel Airport Authority, and a letter for the Reciprocal Agreement repayment in 2023. Second by Commissioner Braun, no further discussion Commissioner Baldwin called for a vote Ayes 3, Nays 0. Motion carried unanimously.

All bids are rejected and bid bonds will be returned. Commission to sign the letter that Craig will email, and Craig will advertise this Thursday, Bid Opening for June 10, 2021.

To clarify Commissioner Rost indicated that Fallon County will owe Broadus in 2022 and Laurel in 2023.

Call ended 10:50AM

11:00AM Commissioner Baldwin left the meeting.

NOON RECESS

1:30PM RECONVENE

PRESENT: Steve Baldwin, Acting Chairman; Debbie Wyrick, Deputy Clerk and Recorder-Secretary

Discussion on Denbury Pipeline and County Roads/Haul Route Agreement/Commissioner Baldwin present, Dave Anderson, Greg Benjamin, and Nathan Stone – Denbury Resources via phone, Commissioner Rost via phone, Darcy Wassmann County Attorney via phone

Project update: Survey starts May 24, with construction to start on/around June 15th. Permits and easements are in order, just need the Road Agreements. Received the updated agreement from Darcy Wassmann, discussion on the changes.

1:50PM Dave, Greg and Nathan left the meeting.

Remaining on the phone Commissioner Rost and Darcy Wassmann, discussion about Mask requirement for County Courthouse employees due to recent COVID outbreak in the Courthouse.

Courthouse employees will be required to wear masks until further notice. A Memo will go out immediately. Notice will be posted on the doors to the Courthouse notifying the public that we have an outbreak, and they may choose to wear a mask, our employees are wearing masks to protect the public.

Darcy left the meeting.

Discussion on re-scheduling the cancelled meetings for Thursday May 13, 2021

Commissioner Baldwin signed Request for Reimbursement No. 7 – Final for the Airport Apron project.

2:15 PM Commissioner Rost made the motion to recess. Commissioner Baldwin seconds. 2 Ayes. 0 Nays. 1 Absent. Motion carried.

Recessed

Thursday, May 13, 2021

9:30 AM CONVENE

PRESENT: Roy Rost, Chairman; Steve Baldwin, Member; Brenda Wood, Clerk & Recorder

ABSENT: Kevin Braun, Member

FALLON COUNTY COURTHOUSE

9:30 AM The Pledge of Allegiance was held in the Commissioner's Office.

PUBLIC COMMENT –AGENDA/NON-AGENDA ITEMS

Kodie Olsen, 4H Leader met to discuss the Baker Metal quote receive, to construct pens. They will be used at the Fairgrounds during the Fair in August. Permission granted to start construction of the pens; the bill will be paid in the new fiscal year (FY22) and therefore Kodie will budget for the pens in this year's Extension budget.

9:45 AM Minutes will be approved next week when a full Commission is present.

10:00 AM ROAD/SHOP UPDATES/Bobby Wiedmer, Road Superintendent/Mitch Overn, Shop Mechanic
Bobby and Mitch joined via conference call; Julie Straub, HRM

Permission to hire Mechanic-Would like permission to hire Carl Overland as Mechanic for the Road Department.

Discussion-Candidate has requested to start at Step 3 at \$24.00/Hour rather than Step 1. Probationary period remains the same. Not eligible for COLA.

Commissioner Baldwin made the motion to accept the application of Carl Overland, as Shop Mechanic, at the wage discussed of \$24.00; probation would remain the same and is not eligible for COLA. Commissioner Rost seconded the motion. Commissioner Baldwin asked for any further discussion; being none. Those in favor, 2 Ayes. 0 Nays. 1 Absent. Motion carried.

Request for Wage increase-Julie started the meeting off by stating, Mitch would like to ask for a pay increase as he has been doing Alba's duties. Bobby stated Mitch has been doing a good job of handling the daily duties of the shop; Mitch stepped right up and took on those duties.

Mitch reiterated he has stepped up and completed Alba's duties when needed. Mitch would like to know if he can be compensated for this. Mitch has been employed by Fallon County for 14 years, as a mechanic. Commissioner Baldwin asked if Mitch will he be doing Alba's job now. Bobby stated he (Bobby) will take over some of the duties, but Mitch would do most of the day-to-day items. Julie stated Mitch would not be in a Supervisory position; but he would be the lead mechanic but will not pursue a Lead Mechanic title change. Commissioner Baldwin felt .25 cents per hour increase was what was discussed before; Commissioner Rost would be in favor of .25 cents and would be in favor of having it start, effective with the May pay period.

Commissioner Baldwin made the motion to give Mitch Overn a .25 cent per hour wage increase, for assuming more duties, starting with the April 24th pay period. Commissioner Rost seconded the motion. Commissioner Rost asked for any further discussion; being none. Those in favor 2 Ayes. 0 Nays. 1 Absent. Motion Carried.

10:20 AM Bobby and Mitch hung up, therefore leaving the meeting.

10:25 AM Julie left the meeting.

PROJECT UPDATES/Shannon Hewson, Brosz Engineering

10:30 AM Rich Menger, Sanitarian joined.

10:35 AM Shannon Hewson, Brosz Engineering joined the meeting.

1. Award 2021 Improvement Project Bid Opening-

Shannon stated all bids were checked for errors and none were found. Shannon is recommending the Commission proceed with the bid award. Discussion on mix design and type of mix used in the asphalt that will come from the Wyrick Construction asphalt plant. Shannon explained the proposed specs being used meet the specs for the State of Montana and are also the same specs used in North Dakota. Wyrick Construction also plans to do a test strip (at the local plant in Baker). Brosz will pull the samples and cores to make sure it meets the proposed specifications.

Commissioner Baldwin made the motion to accept the bid from Wyrick Construction for the 2021 Improvement Project for Schedule 1-Alternate B (Baker Senior Center East Parking Lot Reconstruction) in the amount of \$57,285.00; Schedule 2 (Fallon Medical Complex South Parking Lot Improvement) in the amount of \$33,740.00 and Schedule 3 (Waterfall Installation Project) in the amount of \$78,940.00. Commissioner Rost seconded the motion. Commissioner Rost asked for further discussion.

Commissioner Rost asked how far away the waterfall would be from the new building at Iron Horse Park. Shannon stated it will be located 20' from the building. Commissioner Rost asked about the reach of the piece of equipment being used. Shannon felt it would have a 25' reach. Concerns being the proximity of the building and extra care will need to be given.

Commissioner Rost asked if there was further discussion; being none. Those in favor. 2 Ayes. 0 Nays. 1 Absent. Motion carried.

Shannon will keep Rich informed on the waterfall and fishing dock progress.

10:45 AM Rich left the meeting.

2. MOU for the Resolution of the adverse effects of the Cottonwood Creek Bridge Replacement & Demo Project

Shannon stated he is waiting on Ethnoscience for a quote for signage. Shannon stated we are waiting for the HAER, (Historical American Engineering Record Documentation), to be completed and signed by the National Park Service before we can dismantle the bridge.

The Commission approved and signed the Memorandum of Agreement between the US Army Corp of Engineers, The Montana State Historic Preservation Officer and Fallon County. This will be mailed for appropriate signatures.

3. Review/Approve/Sign Upper Baker Lake Final Pay Application

Shannon explained change order #1 took into consideration less fencing, more bracing, removed a gate and added more seeding and mulching to the project. The required seeding area increased when a large berm was moved to the Gun Range. The total change order increased the project contract by \$5,739.00.

Commissioner Baldwin made the motion to approve Change order #1 in the amount of \$5,739.00 for the Upper Baker Lake Project. Commissioner Rost seconded the motion. Commissioner Rost asked for further discussion; being none. 2 Ayes. 0 Nays. 1 Absent. Motion Carried.

Commissioner Baldwin made the motion to approve the Upper Baker Lake Application for Payment for Youderian Construction, Inc. in the amount of \$16,593.73. Commissioner Rost seconded the motion. Commissioner Rost asked for further discussion. Being none. 2 Ayes. 0 Nays. 1 Absent. Motion Carried.

11:00 AM Shannon left the meeting.

11:00 AM Julie Straub, HRM and Shyla Hadley, Fair Manager joined.

PERMISSION TO HIRE SEASONAL CREWS-MAINTENANCE, GOLF & FAIR/Julie Straub, HRM

Julie stated after applicants were interviewed the following would like permission to hire:

FAIR

Would like permission to Hire Nikki Stieg as the seasonal Office Assistant for the Fairgrounds.

Commissioner Baldwin made the motion to hire Nikki Stieg as the Seasonal Office Assistant at the Fairgrounds for the 2021 season. Commissioner Rost seconds the motion. Commissioner Rost asked for further discussion; being none. 2 Ayes. 0 Nays. 1 Absent. Motion carried.

Shyla thanked the Commission.

11:06 AM Shyla left the meeting.

GOLF

Would like permission to hire Bryant O'Connor and Ethan Gundlach as seasonal Grounds Crew Hands.

Commissioner Baldwin made the motion to hire Ethan Gundlach and Bryant O'Connor as Grounds Crew Hands at the Golf Course for the 2021 season. Commissioner Rost seconds the motion. Commissioner Rost asked for further discussion; being none. 2 Ayes. 0 Nays. 1 Absent. Motion carried.

MAINTENANCE DEPARTMENT

Would like permission to hire Tegan Miller and Rory Lingle as seasonal Crew Hands.

Commissioner Baldwin made the motion to hire Tegan Miller and Rory Lingle as Crew Hands for Maintenance Department for the 2021 season. Commissioner Rost seconds the motion. Commissioner Rost asked for further discussion; being none. 2 Ayes. 0 Nays. 1 Absent. Motion carried.

11:10 AM COMMISSION WORK SESSION

The Commission reviewed E-mails, Correspondence, Board Minutes and Agendas from other Boards as submitted.

The Commission received and accepted the letter of termination from Prairie County's for Fallon County 911 Dispatch Services. Effective date of Termination will be July 1, 2021.

The Commission reviewed the Howell Traps Quote received for voice release system traps for the Gun Range. The Commission would like to meet with the Gun Range Board Members for further discussion.

The Commission granted permission for Justice of Peace Clerk to use personal vehicle to attend training. The employee will be doing personal items for her business.

The Commission signed a Certificate of Appreciation for Julie Post, Deputy Treasurer/Assessor for 20 years of service. The Commission would like to congratulate Julie on this accomplishment and thank her for her years of service, it is greatly appreciated.

The Commission reviewed and signed the Rental Agreement for a tenant to rent Apartment 101 in Parkview Retirement Complex.

11:15 AM Commissioner Baldwin made the motion to recess and attend a meeting at the Parkview Retirement Complex. Commissioner Rost seconded the motion. 2 Ayes 0 Nays. 1 Absent. Motion carried.

11:15 AM **NOON RECESS**

1:15 PM RECONVENE

PRESENT: Roy Rost, Chairman, Steve Baldwin, Commissioner

ABSENT: Kevin Braun, Commissioner

1:15 PM AGENDA/NON-AGENDA ITEMS – PUBLIC COMMENT

No one appeared for Public Comment.

1:20 PM Jade Boggs, Insurance Agent

1:30 PM COUNTY PROPERTY CASUALTY INSURANCE RENEWAL/Debbie Wyrick, Deputy Clerk & Recorder & Jade Boggs, Insurance Agent

Jade met to present the renewal coverages for the County Property/Casualty Insurance. Jade stated, by law, the possible premium and coverage changes must be presented to clients. Discussion of moving deductibles from \$2,500 to \$5,000. Larger deductibles are going to be more common to allow customers affordability.

Traveler's Insurance Company presented a worst-case scenario. The increase is expected to be approximately 11.5%. Jade state further scenarios may be coming in the near future.

The Commission agreed to keep Traveler's as the Property and Casualty Insurance Company for Fallon County for FY22.

Workmen's Compensation-Debbie discussed payroll reporting differences with State Fund.

1:42 PM Kyle Medearis and Alba Higgins, Public Members joined.

Jade and Debbie will discuss further and try to figure out how to accommodate the differences when reporting.

1:46 PM Jade and Debbie left the meeting.

1:46 PM APPOINT PUBLIC MEMBERS TO THE SALARY COMMISSION

Commissioner Baldwin made the motion to appoint Kyle Medearis and Alba Higgins to the Salary Commission, as voting Public Members. Commissioner Rost seconded the motion. Commissioner Rost asked for further discussion; being none. 2 Ayes. 0 Nays. 1 Absent. Motion carried.

1:50 PM Trent Harbaugh, Sheriff and Nic Eisle, Undersheriff joined.

1:55 PM Barb Ketterling, Treasurer; Julie Straub, HRM and Anna Straub joined.

2:00 PM Debbie Wyrick, Deputy Clerk and Recorder joined.

2:00 PM SALARY COMMISSION MEETING

Brenda presented the group with various spreadsheets containing various information to work toward a decision pertaining to this meeting. Brenda explained this meeting is to determine whether a COLA would be given to the Elected Officials.

The first spreadsheet included the current wages of Elected Officials, Undersheriff and Deputies showing a proposed scenario, such as costs, with benefits, for the COLA, which is 1.2% this year. The spreadsheet also contained a few other proposed scenarios; a spreadsheet showing a one-time stipend scenario of .25 cents; a spreadsheet showing wage scenarios including overtime and benefits; and a spreadsheet recapping all of the above information as well as other information, such as cash balances, total expenditures, and revenues to date.

Brenda explained the stipend scenario has not been presented before, however, in working with Debbie, it was a thought she had suggested as a one-time event, (.25 cents was used as an example). Debbie explained the stipend would not build each year like an adjustment to the employee's wage. Debbie also explained the employee would receive a slight increase in their health insurance, as well as a slight increase to the two-party and family and of course a larger increase on the Employer side.

Everyone was given some time to review the spreadsheets and the floor was opened to the Commission Members.

Barb started off by stating she would like to see a Stipend and the COLA given. Barb also stated other Counties used their COVID funding to give stipends to employees because they worked during the COVID epidemic.

Trent stated the County saved over \$400,000 on law enforcement, per reimbursement of COVID funding which would cover a stipend. Trent also reiterated, as Barb had mentioned, other Counties had given stipends. Trent further stated the Baker School District has issued hazard pay to its employees and the fact the School Mill Levy passed. Trent stated although the insurance is a slight increase if a COLA is

not given the wages do not keep up. ARPA (American Rescue Plan Act) funds will be received by all States and Local Government entities can apply for the funding to be used for infrastructure, to help lessen the County's burden.

Kyle stated he feels a stipend helps to show appreciation to employees and a COLA is a form of balance. Your employees are a vital part of any business.

Alba stated you cannot put a price on employees. The investment by giving more to employees helps keep them and money in the Community.

Barb discussed the Denbury Pipeline, once up and running, will be centrally assessed bringing in more tax revenues.

Commissioner Rost discussed something new in the Legislature, which allows the stripper wells to be taxed at a lower rate.

Julie stated by giving an increase to the employee you are investing in the employee, just as the County invests on projects in our Community.

Alba stated he would like to see the employees receive .50 cents and .50 cent stipend. Kyle agreed. Discussion.

Commissioner Rost felt the COLA and liked the idea of a .62 cent stipend. Discussion.

Trent discussed the .38 COLA and stipend of \$1.00. Discussion.

Debbie discussed her thought, if a larger stipend is given, it could be broken up into more than one payment due to tax consequences for the employee. Discussion.

Trent made a motion to give the 1.2% COLA and the stipend of \$1.00 per hour. Barb seconded the motion. All Ayes with the exception of the Commission. Motion failed. The reason is you must have a 2/3 approval vote by the Commissioner's before the motion can pass.

Commissioner Baldwin made a motion to give the 1.2% COLA and the stipend of .50 per hour. Motion died for lack of second.

Trent made the motion to give 1.2% COLA and .75 per hour stipend. Second by Kyle. Commissioner Rost asked for further discussion; being none. 7 Aye. 0 Nay. 1 Absent. Motion carried.

Trent had one more thing to bring up at the Salary Meeting. Coroner Stipend has been the same for 15 years. \$5,000 is split amongst Trent and his Deputy Coroner's. Many Counties pay their Coroner's \$5,000 +/- and the Deputy a separate amount. The Commission stated they will discuss when all Commissioner's are available.

3:15 PM-All left with the exception of Debbie and Julie

SEASONAL EMPLOYEES USE OF SICK AND VACATION LEAVE

Julie stated this is applicable to Weed, Golf, Cemetery and Maintenance Departments. Department Heads for the above listed Departments were invited to attend.

Debbie and Julie need to know what to do when Seasonal employees are sent home, by their Supervisor, because they cannot work, due to the weather. Should the employee be required to use Vacation/Sick Leave (if vacation is exhausted) to meet their 40-hour work week.

Commissioner Rost discussed Fair Seasonal employees, stating, there is always inside things that can be done, clean shop area, restrooms, service equipment, but that needs to be managed by the Supervisor. After further discussion it was decided they Fair employees have many buildings they can work inside, so this should not be an issue.

Commissioner's Baldwin and Rost agree, if the employee is eligible and has accumulated Vacation and Sick Leave, it is to be used to complete their 40-hour work week. If they exhaust vacation and sick leave, they will then place 0 on their time sheet.

3:20 PM Julie and Debbie left the meeting.

3:30 PM Commissioner Baldwin made the motion to recess. Commissioner Rost seconds. No further discussion. 2 Ayes. 0 Nays. 1 Absent. Motion carried.

ADJOURNED

s/Debbie Wyrick, Deputy Clk & Rec/Secretary

s/Roy Rost, Chairman

ATTEST:

s/Brenda J. Wood, Clerk and Recorder