

**REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS
PONDERA COUNTY, MONTANA
Held in May, 2011**

The Board of Pondera County Commissioners met daily in informal session and in scheduled meetings on May 4, 11, 18 and 25, 2011. Unless indicated, all Commissioners were present.

MEETING WITH AMBULANCE PERSONNEL – May 4, 2011

The Commissioners met with Ruth Erickson, Dave Richardson, Mary Erickson and Cliff Davis of the Pondera Medical Center regarding various concerns regarding ambulance services and the County and City of Conrad. The matters were discussed and it appears the concerns and remedies are a matter of communication among all parties. No action was taken by the Commissioners.

MEETING WITH GROUP HEALTH INSURANCE REPRESENTATIVES- May 4, 2011

The Commissioners met with Gary Hablutzel, President of Innovative Benefit Plans (EBMS), the third-party administrator of the County's group health insurance plan, and Cyndi Maxwell, representative Joint Powers Trust, the funding arm of the County's group health insurance plan. Hablutzel outlined benefit changes and renewal premium amounts for the County's plan. The renewal options were taken under advisement at this time.

ELEVATOR MAINTENANCE CONTRACT APPROVED – May 4, 2011

The Commissioners discussed the proposed agreement of PEAK Elevator Performance Group for maintenance services for the elevator located in Courthouse. PEAK proposes an annual renewable agreement with the County to do the quarterly standard maintenance required at the rate of \$150.00 per quarter, and extra-ordinary work billable at an hourly rate. The County will realize a contract savings of \$474.00 per quarter for ordinary maintenance; savings for extra-ordinary services yet to be determined.

Commissioner Christiaens moved to approve the PEAK contract for quarterly maintenance, at the rate of \$150.00 per quarter and for extra-ordinary services at an hourly rate. Commissioner Broesder seconded; motion carried.

PORT AUTHORITY PROCURES GRANT FOR COMMUNITY CENTER- May 4, 2011

The Commissioners met with Cheryl Curry, director of the Pondera Regional Port Authority, who advised them that the 3 Rivers grant the Port Authority applied for on behalf of the County was awarded to the County in the amount of \$1,000. The funding will be used for necessary expenses at the community center in Conrad. Thank you, Cheryl.

PROPOSAL RECEIVED FOR WALK-IN COMBINATION COOLER AND FREEZER AT COMMUNITY CENTER – May 4, 2011

The Commissioners received a proposal from Heartland Mechanical of Valier for installation of a combination cooler and freezer at the community center. The proposal was discussed and it was determined that more information was needed. Commissioner Christiaens moved to take the matter under advisement. Commissioner Broesder seconded; motion carried.

MEETING WITH ZOMER REGARDING LAWN MAINTENANCE AT LOT AT HOSPITAL – May 4, 2011

Hank Zomer met with the commissioners and advised them that he has an agreement with the Pondera Medical Center for grounds maintenance. He would be interested in providing services to the County for the empty lot area as well. He was advised that the County Building Engineer does the grounds maintenance for the Courthouse and the lot at the hospital but should that situation change, they will keep him in mind for these services.

PUBLIC HEARING ON PROPOSED FEES FOR ESTABLISHING 911 AND MISCELLANEOUS ADDRESSING FEES FOR PONDERA COUNTY – May 11, 2011

Commission Chair Johnson opened the public hearing on the proposed fees establishing 911 and miscellaneous addressing fees for Pondera County at 10:02 a.m. The hearing was noticed in The Independent-Observer and The Valerian on April 28 and May 5, 2011. Buck Traxler and David Doran were present but expressed no comment and no written comments had been received.

| | | |
|-------------|---|--|
| Monroe Bros | Blue Sky Rd Swanson Rd from Beaverhead Rd to Archie Campbell place | East & west sides of road West side |
|-------------|---|--|

There were no conflicting requests. Commissioner Christiaens seconded; motion carried.

RESOLUTION #32 – INTENDING TO ADOPT THE PROPOSED 2011 PONDERA COUNTY GROWTH POLICY – ADOPTED- May 11, 2011

PONDERA COUNTY MONTANA

RESOLUTION #32 – 2010/11

A RESOLUTION OF INTENTION TO ADOPT THE PROPOSED 2011 PONDERA COUNTY GROWTH POLICY BY THE PONDERA COUNTY BOARD OF COMMISSIONERS AND TO SET A DATE TO ADOPT THE GROWTH POLICY

WHEREAS, 76-1-604 MCA, authorizes the Board of County Commissioners to adopt or revise a growth policy; and

WHEREAS, the Board of County Commissioners requested the County Planning Board to prepare a growth policy, as authorized in 76-1-106, MCA; and

WHEREAS, the Pondera County Planning Board prepared a growth policy in accordance with Title 76, Chapter 1, Part 6, M.C.A.; and

WHEREAS, the proposed growth policy was made available for review at Pondera County Courthouse, Conrad Library, and on the Pondera Port Authority website; and

WHEREAS, the Planning Board noticed and held a public hearing on the proposed growth policy in accordance with 76-1-602, MCA; and

WHEREAS, in accordance with 76-1-603, MCA, the Planning Board considered comments, recommendations and suggestions elicited at the public hearing held on April 27, 2011 and no written comments were received through the comment period ending April 27; and

WHEREAS, the Planning Board made a recommendation to adopt the growth policy with revisions; and

WHEREAS, the agenda for the Board of County Commissioners was posted for the May 11, 2011 Regular Commission meeting and the agenda included the growth policy resolution of intention; and

WHEREAS, the Board of County Commissioners considered public comment received at that meeting or received in writing prior to the meeting;

NOW, THEREFORE BE IT RESOLVED that the Board of County Commissioners hereby adopts this resolution of intention to adopt the Conrad Growth Policy as recommended by the planning board as identified below:

In Part Three, Goal C – Public Safety, third paragraph under “Context” on page 18, make the following changes (new language underlined; deleted language as strike-out):

The flood prone area maps in Pondera County consist only of those for the Pondera Creek drainage that flows along the southern edge of Conrad and the Dry Fork of the Marias River north of Conrad. ~~The floodplain~~ flood prone area maps appear to be incorrect and may overstate the potential flood area in and around the city. Erosion on Dupuyer Creek banks will eventually cause septic drain fields to become exposed and contaminate Dupuyer Creek, according to the Floodplain Manager. The scheduled update to the Pondera County Pre-Disaster Mitigation Plan will include examination of flood-prone areas and will need to address the Dupuyer area issues.

and hereby sets the date for adoption of the growth policy for Wednesday, June 1, 2011, at 10:00 a.m. in the Commissioners’ office.

Adopted this 11th day of May, 2011 as moved by Commissioner Broesder, seconded by Commissioner Christiaens, and passed on a unanimous vote of the full board. Effective on passage and approval.

PONDERA COUNTY COMMISSIONERS

Pondera County, Montana

/s/ Cynthia A. Johnson
Cynthia A. Johnson, Chairman

/s/ Joseph Christiaens
Joseph Christiaens, Member

ATTEST: _____
/s/ Janice Hoppes
Janice Hoppes, Clerk and Recorder

/s/ Sandra J. Broesder
Sandra J. Broesder, Member

RESOLUTION #33 – AMENDING THE FLOOD PRONE AREA OF PONDERA CREEK – ADOPTED – May 11, 2011

PONDERA COUNTY, MONTANA
RESOLUTION NO. 33 – 2010/11

A RESOLUTION AMENDING THE FLOOD PRONE AREA OF PONDERA CREEK AS IT APPLIES TO THE PROPERTY LOCATED AT: LOTS 3, 4, E1/2 SW1/4 SECTION 8, T28N, R2W (PARCEL 190400)

WHEREAS, Pondera County is not covered by an official flood plain map issued by the Federal Emergency Management Agency (FEMA); and

WHEREAS, the designated flood prone area relied on by Pondera County is based on best available data; and

WHEREAS, the current flood prone map was developed in 1974 with boundary lines based on the judgment of experienced local field technicians and information readily available to the Soil Conservation field offices; and

WHEREAS, documentation presented to Pondera County Commissioners proves the established residential property adjacent to the north side of parcel number 190400 has not flooded since recorded ownership in 1904. This adjoining property is located at a lower elevation than parcel number 190400 and;

WHEREAS, the U.S. Geological Topographical Survey Map of the Conrad Quadrangle published in 1967 shows the elevation lines of the bench at 3480' of elevation which provides a reasonable benchmark for a flood prone area; and

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Pondera County that the area of parcel number 190400, at or above the 3480' elevation on the on U.S. Geological Topographical Survey Map of the Conrad Quadrangle of 1967, on the South side of Pondera Coulee, is NOT located within the designated Flood Prone Area for Pondera County.

Adopted this 11th day of May, 2011 as moved by Commissioner Broesder, seconded by Commissioner Christiaens, and passed on a unanimous vote of the full Board. Effective upon passage and approval.

PONDERA COUNTY COMMISSIONERS

Pondera County, Montana

/s/ Cynthia A. Johnson

Cynthia A. Johnson, Chairman

ATTEST: /s/ Janice Hoppes

Janice Hoppes, Clerk and Recorder

/s/ Joseph Christiaens

Joseph Christiaens, Member

/s/ Sandra J. Broesder

Sandra J. Broesder, Member

APPROVAL OF IVERSON RANCH INC MINOR SUBDIVISION- May 11, 2011

All conditions of the low-impact minor subdivision approval having been met, Commissioner Christiaens moved to approve the Iverson Ranch Minor Subdivision creating a 22.99 acre parcel in the NE1/4NE1/4, Section 21, T29N, R1W. Commissioner Broesder seconded; motion carried.

APRIL MINUTES APPROVED - May 11, 2011

Commissioner Broesder moved to approve the April Minutes of the Commission. Commissioner Christiaens seconded; motion carried.

COMMUNITY/SENIOR CENTER CDBG DRAW #3 APPROVED – May 11, 2011

Commissioner Christiaens moved to approve the CDBG grant draw #3 for the Conrad Community/Senior Center in the amount of \$194,017.70. Commissioner Broesder seconded; motion carried.

COMMUNITY/SENIOR CENTER EECBG DRAW #3 APPROVED – May 11, 2011

Commissioner Broesder moved to approve the EECBG grant draw #3 for the Conrad Community/Senior Center in the amount of \$27,011.00. Commissioner Christiaens seconded; motion carried.

ECONOMIC DEVELOPMENT (ITB) DRAW #3 (FINAL) APPROVED – May 11, 2011

Commissioner Broesder moved to approve draw #3 (final) for the Economic Development (ITB) CDBG in the amount of \$4,621.14, all of which is for administrative costs and will be paid to the Pondera Regional Port Authority. Commissioner Christiaens seconded; motion carried.

INTERGOVERNMENTAL TRANSFER APPROVED- May 11, 2011

David Doran, Chief Financial Officer for the Pondera Medical Center met with the Commissioner regarding the availability of the FY2011 Nursing Facility Intergovernmental Transfer where by the County can make a voluntary intergovernmental transfer of money to the State of Montana, who, in turn, provides a lump sum payment of Medicaid monies to their affiliated “at risk” county nursing facility. Pondera Medical Center issued a check to Pondera County in the amount of \$221,141.34 which is deposited in the county account and a county (government) check is drawn payable to the State of Montana in the same amount. The PMC will deliver the payment to the Montana Department of Health and Human Services and will then be the recipient of the Medicaid funds in the amount of \$352,749.56. Commissioner Christiaens moved to approve the transfer. Commissioner Broesder seconded; motion carried.

HEARTLAND MECHANICAL PROPOSAL FOR WALK-IN COOLER/FREEZER APPROVED- May 11, 2011

On May 4, 2011 the Commissioners received a proposal from Heartland Mechanical for installation of a combination cooler and freezer at the community center for the sum of \$12,150. Commissioner Christiaens moved to approve the proposal; Commissioner Broesder seconded; motion carried.

YEARLY RIGHT-OF-WAY FORAGE REMOVAL AGREEMENT APPROVED– May 18, 2011

Commissioner Broesder moved to approve the following forage removal agreement:

| <u>APPLICANT</u> | <u>ROAD AFFECTED</u> | |
|------------------|-------------------------|-----------------------|
| Raymond Nicklaus | Trunk Butte Rd (Valier) | North and south sides |

Commissioner Christiaens seconded; motion carried. (Commissioner Johnson absent)

EXCAVATION AGREEMENTS APPROVED- May 18, 2011

Commissioner Broesder moved to approve the two Excavation Agreements requested by Qwest Communications to engage in excavation on and under county roads described as Showdown Lane (T30N, R3W), Section 5) and Healy Spring Road (T27N, R3W, Section 28) for the purpose of installing lines. Commissioner Christiaens seconded; motion carried. (Commissioner Johnson absent)

RESOLUTION #34 – AUTHORIZING BUDGET AMENDMENTS 911 FUND – ADOPTED – May 18, 2011

PONDERA COUNTY MONTANA
RESOLUTION #34 – 2010/11
AUTHORIZING BUDGET AMENDMENTS –
9-1-1 FUND

WHEREAS the Montana Code Annotated, Section 7-6-4006, grants the Board of County Commissioners the power and authority to amend the budget during the fiscal year by conducting public hearings at regularly scheduled meetings, and

WHEREAS on May 11, 2011 the Board of County Commissioners adopted Resolution No. 31 – 2010/11 as follows:

ESTABLISHING 911 AND MISCELLANEOUS ADDRESSING FEES
FOR PONDERA COUNTY

WHEREAS, Rural and Municipal Addressing and locating non-residential commercial structures must be done on a regular basis for Pondera County, and

WHEREAS, Pondera County must bear the entire cost of Rural and Municipal Addressing and locating non-residential commercial structures, and

WHEREAS, The costs to undertake new residential addressing, and measuring and locating commercial structures, etc. for purpose of mapping identification, public safety, and/or Postal Service are not currently reimbursed by any public funding source, and

WHEREAS. A public hearing on the establishment of 911 Addressing and location fees was held on May 11, 2011 for the purpose of receiving public input regarding the proposed fees.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pondera County that the following schedule of fees for addressing new residential structures and commercial locations be adopted:

| | |
|--|-----------------|
| New Rural address identification (residential/business) | \$150.00 |
| New address within incorporated City of Conrad or Town of Valier | \$115.00 |
| Commercial address with no structures | \$ 35.00 |

These costs cover GPS Field Work, GIS Processing/Integration and signage costs for new roads or private lanes and addresses within the incorporated city or town, which do not require new roads or signage. The fees for Commercial addresses cover GPS Field Work, which do not have livable structures, roads or access points (i.e. rural irrigation electrical hookups, gas pumps, etc). These addresses will not be added into the 911 rural data base. For subdivisions of more than one address, each address will require a new residential/business address

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pondera County that the budget for Fund 2850, 9-1-1 Services, be amended to show revenue, as follows:

| Revenue | Description | Prior Amount | New Amount |
|-------------|--------------|--------------|------------|
| 2850-362021 | Misc revenue | \$ 0.00 | \$ 200 |

Adopted this 18th day of May, 2011 as moved by Commissioner Broesder, seconded by Commissioner Christiaens, and passed on a 2-0 vote of the full board. Effective on passage and approval.

PONDERA COUNTY COMMISSIONERS
Pondera County, Montana

(absent)
Cynthia A. Johnson, Chairman

/s/ Joseph Christiaens
Joseph Christiaens, Member

ATTEST: _____
/s/ Janice Hoppes
Janice Hoppes, Clerk and Recorder

/s/ Sandra J. Broesder
Sandra J. Broesder, Member

CLAIMS APPROVED FOR PAYMENT – May 31, 2011

| FUND | AMOUNT |
|--|---------------|
| GENERAL | \$ 22,358.10 |
| ROAD | 12,060.62 |
| BRIDGE | 11,368.10 |
| WEED | 544.09 |
| COUNTY FAIR | 138.60 |
| AIRPORT | 3,543.02 |
| AMBULANCE | 167.35 |
| COUNTY HOSPITAL & NURSING HOME | 221,141.34 |
| EXTENSION SERVICE | 312.45 |
| PUBLIC SAFETY (LAW ENFORCEMENT) | 6,892.34 |
| HEALTH INSURANCE - EMPLOYER CONTRIBUTION | 745.04 |
| BRADY LIGHTS MAINTENANCE | 317.93 |
| DUI PREVENTION | 722.54 |
| GAS APPORTIONMENT TAX | 3,501.46 |
| 911 EMERGENCY | 64.87 |
| LAND USE PLANNING | 400.00 |
| FEMA PDA Grant | 7,918.00 |
| CDBG - COMMUNITY CENTER | 583.00 |
| BUCKLE UP MT | 792.80 |

| | | |
|--------------------------------------|----|--------------------------|
| DES GRANTS | | 618.58 |
| BREAST & CERVICAL SCREENING | | 100.00 |
| WIC GRANT | | 470.82 |
| MATERNAL CHILD HEALTH | | 720.80 |
| IMMUNIZATION ACTION PROGRAM | | 281.89 |
| TOBACCO USE PREVENTION GRANT | | 693.88 |
| NAPA GRANT | | 235.04 |
| ARRA ENERGY GRANT - COMMUNITY CENTER | | 10,470.04 |
| REFUND FUND | | <u>39.46</u> |
| TOTAL CLAIMS | \$ | 307,202.16 |
| TOTAL PAYROLL | | <u>188,271.17</u> |
| TOTAL CLAIMS AND PAYROLL FUNDS | | <u><u>495,473.33</u></u> |

CLOSING REMARKS

Each Commissioner was in attendance or attending meetings both during the day or evening – 21 days and 1 holiday. Meetings were held during the month with various citizens, taxpayers, vendors, board members and employees.

ADJOURNMENT

The meeting adjourned at 5:00 p.m. on May 31, 2011.

CHAIRMAN, BOARD OF COUNTY COMMISSIONERS

SECRETARY, BOARD OF COUNTY COMMISSIONERS
PONDERA COUNTY, MONTANA