

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

The Board of Pondera County Commissioners met daily in informal session and in scheduled meetings on September 7, 14 and 21, 2011. Unless indicated, all Commissioners were present. No meeting was held the week of September 25 as the commissioners were all absent attending the fall conference of the Montana Association of Counties.

REQUEST FOR ABATEMENT OF TAXES APPROVED – September 7, 2011

Treasurer Jeanne Moon presented the Commissioners with a letter and attached delinquent tax notices on a mobile home property in Valier. The mobile home was demolished over a year ago. The delinquencies, penalty and interest total \$515.41 and include 4 years of landfill charges. Commissioner Broesder moved to request the Department of Revenue prepare an abatement on the tax parcel and the taxes are deemed uncollectable. Commissioner Christiaens seconded; motion carried.

EXCAVATION AGREEMENT APPROVED- September 7, 2011

Commissioner Christiaens moved to approve the Excavation Agreement requested by Jerry Habets to engage in excavation on and under Belgian Road for the purpose of installing buried irrigation pipe, 30" below field grade. Commissioner Broesder seconded; motion carried.

VENDOR INVOICE (JUNK VEHICLE GRANT PROGRAM) APPROVED – September 7, 2011

Commissioner Christiaens moved to approve and submit the County's Vendor Invoice for the fiscal year's junk vehicle program. The county will receive \$9,573 from the Montana Department of Environmental Quality. This payment funds the Junk Vehicle Program in the County. Commissioner Broesder seconded; motion carried.

AUGUST MINUTES APPROVED - September 7, 2011

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

REQUEST TO USE COMMUNITY CENTER APPROVED – September 7, 2011

The commissioners received a request from Blue Cross Blue Shield of Montana to use the community center on October 25 and October 27, for four hours each day, for training sessions and presentation. Commissioner Christiaens moved to approve the use of the facility at the rate of \$50.00 per day. Commissioner Broesder seconded; motion carried.

RESOLUTION AUTHORIZING SALARY INCREASES ADOPTED- September 7, 2011

PONDERA COUNTY, MONTANA
RESOLUTION NO. 6 – 2011/12

AUTHORIZING SALARY INCREASES

WHEREAS, the 2001 Legislature provided that County governing bodies create a county compensation board that shall prepare a compensation schedule for county elected officials for the succeeding fiscal year. The recommended compensation schedule shall be approved by a majority of the board including at least two commissioners, and

WHEREAS, the Commissioners appointed the County Compensation Board and the Board met during a public hearing called by the Commissioners on July 21 2011 and discussed several suggested compensation schedules for elected officials for FY2011-12; and

WHEREAS, the County Compensation Board recommended that compensation for elected officials in Pondera County for FY2011-12 be up to a 1.5% salary increase; the recommendation was approved by the members of the Compensation Board, and

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NOW, THEREFORE, BE IT RESOLVED that effective August 26, 2011 the county will pay a wage increase of .06% (equal to \$.10 per hour) to be added to the salaries of Pondera County elected officials; that part-time elected officials will receive the appropriate pro-rated amount of the salary, Justice of the Peace 81.25% and Superintendent of Schools at 50%. Additional compensation of \$2,000 annually for Commissioners and Sheriff and \$200 for part-time Superintendent of Schools will remain at the statutory rates. Additional compensation of \$2,000 was approved for the Clerk and Recorder who also serves as Election Administrator (pursuant to 7-4-2503(d), MCA, effective October 1, 2005). Additional compensation of \$2,000 was approved for the Treasurer (pursuant to 7-4-2503(2)(e), MCA, effective July 1, 2009).

Treasurer	\$40,352.32
plus additional compensation of \$2,000 per year allowed under statute	
Clerk of Court	\$40,352.32
Clerk and Recorder	\$40,352.32
plus additional compensation of \$2,000 per year allowed under statute for Election Administrator duties	
Commissioner	\$42,352.32
includes additional compensation of \$2,000 per year required by statute	
Sheriff/Coroner	\$43,636.80
includes additional compensation of \$2,000 per year required by statute (Sheriff) Deputies Sheriff/Coroner will receive \$50 per coroner call less than 8 hours in duration and/or \$100 per coroner call more than 8 hours in duration	
County Attorney	\$79,023.84
State of Montana will pay reimburse the County at a rate set by statute, pursuant to 7-4-2502, MCA (2007)	
Justice of the Peace	\$32,786.26 (81.25% of full-time)
pursuant to 3-10-208, MCA, the hours for the Justice Court shall be established as 81.25% of an 8 hour days, or 6.5 hours per day. The office shall be open Monday through Friday from 9 a.m. to 12 noon and from 1:00 p.m. to 4:00 p.m., with the additional ½ hour per day to be available outside the office for calls back	
Superintendent of Schools	\$20,376.16 (50% of full-time)
includes \$200.00 per year additional compensation required by statute	
Public Administrator	hourly rate based on Clerk and Recorder base salary (\$40,352.32)

BE IT FURTHER RESOLVED that the Commissioners hereby set the compensation for the hourly full-time and regular part-time employees at an increase of \$.10 per hour and the Road/Bridge Department Supervisor will receive an increase to monthly salary at the rate of \$.10 per hour. The gross base wages for deputies to elected officials and sheriff's deputies will be calculated at 95% for the undersheriff, 90% for the chief sheriff's deputy and 86% for all other deputies and deputies to other elected officials. Sheriff's department longevity shall be calculated pursuant to state statutes.

Hourly rates will remain the same for temporary employees and part-time employees working fewer than 750 hours per year. Additional compensation received by lead operators (road & bridge departments) and airport manager will not increase. Seasonal employees' hourly rates will not adjust until the beginning of the season in 2012.

Adopted this 7th day of September, 2011 as moved by Commissioner Broesder, seconded by Commissioner Christiaens, and passed on a unanimous vote of the full board. Effective August 26, 2011

BOARD OF COUNTY COMMISSIONERS

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

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

ATTEST:

/s/ Janice Hoppes
Janice Hoppes, Clerk & Recorder

/s/ Joseph Christiaens
Joseph Christiaens, Member

FUNDING FOR LIBRARIES IN COUNTY APPROVED- September 7, 2011

The commissioners discussed the funding for the libraries in the County. In 1961 the county had a library board that distributed the funds based on a pro rate in which the market value of the Valier cemetery district was division by the market value of the Conrad cemetery district, resulting in a prorated calculation equating the market value of the Valier cemetery district to be 43% of the Conrad cemetery district. The taxes were levied countywide and 43% went to the Valier Library and 57% to the Conrad library. In reality, the formula should have been calculated by dividing the value of each cemetery district by the value of the entire county to determine the pro rate for each.

The 57/43% split has been used since at least 1970 and probably since 1961. The commissioners believe the pro rate based on the market or taxable values of the two cemetery districts is an appropriate split. However, they determined that a more mathematically sound prorated would be to divide the value of each by the value of the whole which results in approximately 70/30%, Conrad/Valier, respectively.

Following discussion, Commissioner Christiaens moved that the county, for fiscal year 2012 and fiscal year 2013, levy mills sufficient to provide the same dollars as fiscal year 2010 and to distribute the dollars using the pro rate of the taxable value of each cemetery district divided by the taxable value of the whole. With respect to the voted levy, the dollars will continue to be distributed at the 57/43% ratio as that was the understanding presented during the campaign to promote passage of the levy. The voted levy ends in 2014 and the libraries will need to go to the voters for total funding. Commissioner Broesder seconded for the purpose of putting the matter to a vote of the commission. Commissioner Christiaens called for discussion. Commissioner Broesder stated she seconded the motion for the purposes of bringing the motion to a vote, however, she feels the two library boards should get together and provide a pro rate that is acceptable to both. The vote was called and the motion carried, 2-1, with Commissioners Johnson and Christiaens voting yes and Commissioner voting no.

SCHOOL DISTRICT MILLS CERTIFIED – September 7, 2011

County Superintendent of Schools Jo Stone presented the certification of mills for the school districts in the county. Commissioner Broesder moved to approve the certification and levy the mills. Commissioner Christiaens seconded; motion carried.

PUBLIC HEARING ON BUDGET FOR FISCAL YEAR 2011-12 – September 14, 2011

Commission Chair Johnson opened the public hearing on the County Budget for fiscal year 2011-12 at 10:00 a.m. The hearing was noticed in The Independent-Observer and The Valerian on September 1 and 8, 2011. Cheryl Curry and John Stokes were present and no written comments had been received.

Commissioner Christiaens moved to approve the budget. Commissioner Broesder seconded; motion carried.

The hearing was closed at 10:40 a.m.

RESOLUTION NO. 7 – ADOPTING COUNTY BUDGET FOR FISCAL YEAR 2011-12 – ADOPTED – September 14, 2011

PONDERA COUNTY, MONTANA
RESOLUTION NO. 7- 2011/12
APPROVING FINAL BUDGET FOR PONDERA COUNTY
FOR FISCAL YEAR 2010-11

WHEREAS, pursuant to Sections 7-6-4021, 7-6-4024 and 7-6-4030, MCA, the Board of County Commissioners of Pondera County, Montana, has held a public hearing and passed resolutions as applicable on the proposed budget of Pondera County for fiscal year 2011-12 as required by law; and

September 2011

WHEREAS, Sections 7-6-4034 through 7-6-4036, MCA, provide for the fixing of various tax levies to raise funds sufficient to meet said expenditures authorized in the budget; and

WHEREAS, amendments to the final budget may be made throughout the fiscal year as provided in 7-6-4031; and

WHEREAS the Department of Revenue has provided the County with the certified value of a mill in each taxing jurisdiction in the County, as \$13,839 countywide and \$11,366 rural; and

NOW, THEREFORE, BE IT RESOLVED that the final county budget as set out below be, and the same is, hereby adopted as the final budget for fiscal year 2011-12 and that warrants be issued in accordance with laws appertaining thereto.

COUNTYWIDE

Assessed Valuation: 422,602,851
 Tax Valuation: 13,839,585
 1 Mill Yields: 13,839

FUND NO.	FUND NAME	BUDGETED EXPENDITURES	MILL LEVY	VOTED MILL LEVY
1000	GENERAL	1,638,015	54.80	
2130	BRIDGE	331,586	14.920	
2140	WEED	119,752	2.300	
2160	COUNTY FAIR	4,800	.100	
2190	COMP INSURANCE	221,163	11.500	
2220	COUNTY LIBRARIES (REGULAR LEVY)	48,810	1.900	
2230	AMBULANCE	33,259	1.470	
2235	COUNTY HOSPITAL	359,366	7.000	
2280	SENIOR CITIZENS	27,100	1.800	
2290	EXTENSION	94,417	5.500	
2300	PUBLIC SAFETY	1,042,197	33.500	
2370	RETIREMENT	155,748	6.050	
2371	GROUP HEALTH	167,614	6.050	
TOTALS		4,243,827	146.890	

COUNTYWIDE VOTED LEVIES

Assessed Valuation: 422,602,851
 Tax Valuation: 13,839,585
 1 Mill Yields: 13,839

FUND NO.	FUND NAME	BUDGETED EXPENDITURES	MILL LEVY	VOTED MILL LEVY
2220	COUNTY LIBRARIES (VOTED LEVY)	104,419		7.550
3010	HOSPITAL DEBT SERVICE	198,000		9.000
7340	PORT AUTHORITY	78,689		4.000
TOTALS		381,108		20.550

RURAL

Assessed Valuation: 340,030,347
 Tax Valuation: 11,366,631
 1 Mill Yields: 11,366

FUND NO.	FUND NAME	BUDGETED EXPENDITURES	MILL LEVY	VOTED MILL LEVY
2110	ROAD	798,485	33.360	
7200	RURAL FIRE (REGULAR LEVY)	180,296	5.150	
7200	RURAL FIRE (VOTED LEVY)	20,894		1.838
		999,675	38.510	1.838

SPECIAL DISTRICTS

CEMETERY DISTRICT #1 (VALIER)			
Assessed Valuation:		130,189,949	
Tax Valuation:		4,120,059	
1 Mill Yields:		4,120	
7203	CEMETERY DISTRICT #1	23,283	3.690

CEMETERY DISTRICT #2 (CONRAD)			
Assessed Valuation:		292,412,902	
Tax Valuation:		9,719,526	
1 Mill Yields:		9,719	
7201	CEMETERY DISTRICT #2	80,498	6.990

CONSERVATION DISTRICT			
Assessed Valuation:			
Tax Valuation:		7,042,011	
1 Mill Yields:		7,042	
7206	SOIL CONSERVATION	67,890	2.691

NON-LEVIED FUNDS

FUND NO.	FUND NAME	BUDGETED EXPENDITURES
2150	PREDATORY ANIMAL	3,141
2170	AIRPORTS	34,907
2260	EMERGENCY DISASTER	5,416
2262	EMERGENCY SNOW REML	20,459
2390	DRUG FORFEITURE	8,666
2393	RECORDS PRES	43,042
2401	BRADY LIGHTS	3,932
2800	ALCOHOL REHAB	13,160
2811	DUI PREVENTION	4,693
2820	GAS APPORTIONMENT TAX	168,485
2830	JUNK VEHICLE	9,573
2840	NOXIOUS WEED	60,133
2850	911 EMERGENCY	187,237
2859	COUNTY LAND INFORMATION	9,441
2860	LAND USE PLANNING	6,921
2865	OIL & GAS P&A GRANT	100,000
2894	STATE ALLOCATED FED ROYALTY	14,720
2897	OIL & GAS ACCELER	651
2900	PILT	24,062
2902	FOREST RESERVE, TITLE III	65,375
2917	VICTIM & WITNESS ADVOC	3,897
2929	FEMA PDA GRAMT	28,859
2938	WILDLIFE EXTENSION GRANT	3,000
2943	CDBG - GROWTH PLAN	434
2944	CDBG - BRADY CO WATER & SEWER DIST	450,000
2946	NEIGHBORHOOD STABILIZATION GRANT	318,760
2955	BUCKLE UP MT GRANT	30,519
2958	DES GRANTS	116,923
2968	BREAST/ CERVICAL HEALTH	20,556
2971	WIC	27,568
2973	MCH	7,073
2976	IAP	7,499
2978	TOBACCO USE PREVENTION GRANT	31,593
2979	NAPA GRANT	39,252
2991	ARRA ENERGY GRANT	16,896
2992	ARRA HUB & SPOKE GRANT	75,000
4009	PUBLIC SAFETY CAP IMP	79,906
4010	JUNK VEH CAP	17,706
4011	AMBULANCE CAP	14,040
4012	GEN FUND CAP	29,006
4013	ROAD/BRIDGE CAP	392,046
4014	WEED DISTRICT CAP IMP	39,923
8010	CEMETERY DIST #2 PERPETUAL CARE	271,143
	TOTAL	2,559,584

LEVIED FUNDS	\$ 5,796,281
NON-LEVIED FUNDS	<u>2,559,584</u>
GRAND TOTAL	\$ 8,355,865

BE IT FURTHER RESOLVED that the final budget may be amended throughout the fiscal year as provided in 7-6-4031, MCA.

Adopted this 14th day of September, 2011 as moved by Commissioner Christiaens, seconded by Commissioner Broesder on a unanimous vote of the board. Effective July 1, 2011.

BOARD OF COUNTY COMMISSIONERS

/s/ Cynthia A. Johnson

Cynthia A. Johnson, Chairman

ATTEST:

/s/ Janice Hoppes

Janice Hoppes, Clerk & Recorder

/s/ Sandra J. Broesder

Sandra J. Broesder, Member

/s/ Joseph Christiaens

Joseph Christiaens, Member

INTERCAP LOAN DRAW #2 APPROVED – September 14, 2011

Commissioner Broesder moved to approve Draw #2 under the terms of the Loan Agreement with the Board of Investments' InterCap Loan for the Community Center in the amount of \$11,600.00 to pay for cabinets for the community center. Commissioner Christiaens seconded; motion carried.

DATE, TIME AND PLACE SET FOR PUBLIC HEARING ON THE PROPOSED CLOSING OF COUNTY OFFICES ON NOVEMBER 25, 2011 – September 14, 2011

Commissioner Broesder moved to set October 4, 2011 at 10:00 a.m. in Commissioners' office as date, time and place for a public hearing on the proposed closing of county offices and the courthouse on Friday, November 25, 2011, the day after Thanksgiving. Commissioner Christiaens seconded; motion carried.

ABATEMENT OF DELINQUENT TAXES MORE THAN TEN YEARS OLD – APPROVED – September 14, 2011

Treasurer Jeanne Moon presented a letter to the commissioners requesting abatements of delinquent tax receipts that are uncollectable. These are more than 10 years delinquent, taxpayer cannot be located and are for minimum \$5.00 tax per year. Commissioner Christiaens seconded; motion carried.

MEETING WITH REPRESENTATIVES OF THE TOWN OF VALIER REGARDING BASEBALL FIELD BY COUNTY AIRPORT- September 14, 2011

Tom Hoover, proponent of a baseball field complex in Valier, and Mayor Mckenzie Graye of Valier, met with the commissioners regarding an agreement with the county for the constructing and maintaining a baseball field complex by the Valier Airport which is owned by the County. They brought plans for the project and a proposed agreement for the county's consideration. Topics discussed were liability coverage and responsibility as well as possible abandonment of platted streets under the ball field and flight areas. The commissioners determined that more discussion is needed, particularly with the town council.

PERMISSION GRANTED TO SEED GRASS ON PORTION OF PROPOSED BASEBALL FIELD COMPLEX IN VALIER – September 21, 2011

Tom Hoover of Valier again met with the Commissioners regarding the proposed baseball complex in Valier. Hoover stressed the opportunity to seed bluegrass in the proposed outfield is now in order to have the ability to play on the fields in 2012. He again reviewed his drawings with the commissioners and noted that the FAA has approved the complex in the area in his drawings. The commissioners reiterated that they are willing to work with the group and the Town of Valier in making this complex a reality. Commissioner Broesder moved to permit Hoover to proceed with the seeding of bluegrass to part of the NW portion of the airport property owned by Pondera County, even though an agreement with the Town of Valier is not yet in place. Commissioner Christiaens seconded; motion carried.

ABATEMENT/ADD-ON 903 APPROVED- September 21, 2011

Commissioner Christiaens moved to approve tax abatement 903 as follows:

NUMBER	REASON	CANCEL	ADD	PARCEL #
903	Mobile Home has been demolished	515.41	0.00	2032900

Commissioner Broesder seconded; motion carried.

AGREEMENT FOR OFF-SITE COMPUTER SERVER BACKUP SERVICE

APPROVED- September 21, 2011

Commissioner Broesder moved to approve the Managed Off-Site Data Backup Services agreement with Morrison-Maierle Systems Corp for a one year term at the rate of \$60.00 per month. Commissioner Christiaens seconded; motion carried.

OTIS ELEVATOR AGREEMENT APPROVED- September 21, 2011

Commissioner Christiaens moved to approve, as amended, the Maintenance Agreement with Otis Elevator Company for inspections and maintenance of the courthouse elevator. The agreement is for a 5 year term, with a look-back period after the 1st year, and the option to terminate with 90 day notice. The County will pay \$65.00 per month, payable annually for these services. Commissioner Broesder seconded; motion carried.

PROPOSAL APPROVED FOR PURCHASE OF PICKUPS FOR COUNTY ROAD AND/OR BRIDGE DEPARTMENTS- September 21, 2011

Proposals were requested for the purchase of three pickups, including installed flatbeds, for the County Road and/or Bridge Departments. Proposals received were:

Courtesy Ford	\$28,000
Van Motors	\$30,532

Commissioner Christiaens moved to purchase three pickups from Courtesy Ford for \$28,000 each with installed flatbed. Commissioner Broesder seconded; motion carried.

CHANGED DATE, TIME AND PLACE SET FOR PUBLIC HEARING ON THE PROPOSED CLOSING OF COUNTY OFFICES ON NOVEMBER 25, 2011 – September 21, 2011

Commissioner Broesder moved to change the date to October 12, 2011 at 10:00 a.m. in Commissioners’ office as date, time and place for a public hearing on the proposed closing of county offices and the courthouse on Friday, November 25, 2011, the day after Thanksgiving. Commissioner Christiaens seconded; motion carried.

EXTENSION SERVICES AGREEMENT APPROVED – September 21, 2011

Commissioner Broesder moved to approve the FY2012 Extension Services Agreement between Montana State University Extension and the county. Commissioner Christiaens seconded; motion carried.

NO MEETING WEDNESDAY, SEPTEMBER 28, 2011 AS ALL COMMISSIONERS WILL BE ATTENDING THE FALL CONFERENCE OF THE MONTANA ASSOCIATION OF COUNTIES

<i>FUND</i>	<i>AMOUNT</i>
GENERAL	\$ 26,945.04
ROAD	12,415.08
BRIDGE	1,920.20
WEED	3,227.56
COUNTY FAIR	144.80
AIRPORT	70.44
EXTENSION SERVICE	258.60
PUBLIC SAFETY (LAW ENFORCEMENT)	6,836.80
HEALTH INSURANCE - EMPLOYER CONTRIBUTION	1,430.48
BRADY LIGHTS MAINTENANCE	323.51
DUI PREVENTION	137.65
GAS APPORTIONMENT TAX	1,000.00
LAND USE PLANNING	700.00
FEMA PDA GRANT	10,826.00
BUCKLE UP MT	935.57
DES GRANTS	1,780.21
BREAST & CERVICAL SCREENING	35.00
WIC GRANT	342.04
MATERNAL CHILD HEALTH	118.08
TOBACCO USE PREVENTION GRANT	220.01

NAPA GRANT		121.00
ARRA ENERGY GRANT - COMMUNITY CENTER		16,896.00
REFUND FUND		<u>217.40</u>
TOTAL CLAIMS	\$	86,901.47
TOTAL PAYROLL		<u>201,711.44</u>
TOTAL CLAIMS AND PAYROLL FUNDS		<u><u>288,612.91</u></u>

ADJOURNMENT

The meeting adjourned at 5:00 p.m. on September 30, 2011.

CHAIRMAN, BOARD OF COUNTY COMMISSIONERS

SECRETARY, BOARD OF COUNTY COMMISSIONERS
PONDERA COUNTY, MONTANA