

**REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS  
PONDERA COUNTY, MONTANA  
Held in April, 2012**

The Board of Pondera County Commissioners met daily in informal session and in scheduled meetings on April 4, 11, 18 and 25, 2012. Unless indicated, all Commissioners were present.

**DISCUSSION REGARDING GROUND LEASES AT VALIER AIRPORT** – April 4, 2012

Jack Holden and Kevin Forbes met with the commissioners to finalize terms of the lease agreements formerly between the County and B&B and Buchanan at the Valier Airport. Forbes will be the new Lessee.

**APPROACH AGREEMENT RESCINDED-** April 4, 2012

Commissioner Christiaens moved to rescind the Approach Agreement approved for Jim Nelson (March 21, 2012) to encroach upon the Pondera County Road Right of Way described as the Bullhead Road (T30N, R4W, Section 8) for the purpose of installing a temporary approach on the south side of the road, with a no culvert. The agreement should have been in the name of MATL, LLC rather than Nelson. Commissioner Broesder seconded; motion carried.

**APPROACH AGREEMENT APPROVED-** April 4, 2012

Commissioner Broesder moved to approve the Approach Agreement requested by MATL, LLP to encroach upon the Pondera County Road Right of Way described as the Bullhead Road (T30N, R4W, Section 8: N2) for the purpose of installing temporary approaches on the north and south sides of the road, with a no culvert. Commissioner Christiaens seconded; motion carried.

**SERVICE PROVIDER DESIGNATION FORM APPROVED-** April 4, 2012

Commissioner Broesder moved to approve the Service Provider Designation Form naming the Center for Mental Health as provider to receive earmarked alcohol tax monies and/or State-Approval for the provision of chemical dependency treatment and prevention services in Pondera County. Commissioner Christiaens seconded; motion carried.

**RESOLUTION #34 – AUTHORIZING BUDGET AMENDMENTS FOR IMMUNIZATION ACTION PROGRAM – ADOPTED** – April 4, 2012

**PONDERA COUNTY MONTANA**

RESOLUTION #34 – 2011/12

**AUTHORIZING BUDGET AMENDMENTS – IMMUNIZATION ACTION PROGRAM GRANT**

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 to appropriate money received from the federal or state government, regardless of the time the money is received; and

WHEREAS the State of Montana Department of Public Health and Human Services has notified Pondera County of additional grant funds for calendar year 2011 totaling \$3916.00, for the Immunization Action Grant Program (IAP) resulting from the Health Department exceeding their contractual obligations by inspecting all day care facilities in Pondera County, and the Health Department will incur expenditures not to exceed such funds to be paid from the revenue received; and

WHEREAS the Pondera County Commissioners conducted a hearing at their regularly scheduled meeting on April 4, 2012 and there were no objections; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pondera County that the budget for Fund 2976, Immunization Action Program Grant, be amended to show the receipt and expenditures, as follows:

Revenue	Description	Prior Amount	New Amount
2976-331146	IAP Grant	\$3,966	\$4,313.52

July-December 2012

Expenditure	Description	Prior Amount	New Amount
2976-448-440193-210	Supplies	\$ 0.00	\$ 347.52

Adopted this 4<sup>th</sup> day of April, 2012 as moved by Commissioner Christiaens, seconded by Commissioner Broesder, 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 & Recorder

/s/ Sandra J. Broesder

Sandra J. Broesder, Member

/s/ Joseph Christiaens

Joseph Christiaens, Member

NEIGHBORHOOD STABILIZATION PROGRAM DRAW #10 APPROVED – April 4, 2012

Commissioner Broesder moved to approve the Neighborhood Stabilization Program #MT-NSP-018-01-001C, draw #10 in the amount of \$17,966.80 for additional expenditures at the two projects in Conrad. Commissioner Christiaens seconded; motion carried.

NEIGHBORHOOD STABILIZATION PROGRAM UPDATE – April 4, 2012

Cheryl Curry, Executive Director of the Pondera Regional Port Authority reported that there are Buy-Sale Agreements on the two remodeled Neighborhood Stabilization Program homes in Conrad.

RESCINDING OF MOTION TO APPROVE LEASE AGREEMENT FOR THE VALIER RECREATION COMPLEX- April 11, 2012

On November 11, 2011, the Commissioners approved a Lease agreement, pending correction of the description and final approval by the Pondera County Attorney, leasing County-owned Valier Airport property to a group working to establish a Valier Recreation Complex.

Since that time, the Town of Valier conducted a community assessment survey of its residents to determine projects the citizens wanted to pursue. A special public hearing on the community assessment survey responses was conducted on February 29, 2012 and it was found that the citizens did not support the complex.

Tom Hoover met with the Commissioners and presented an overview of what was presented to the Town of Valier Council and stated the project has been abandoned due to negative feedback from the community of Valier.

Based on the lack of support for the project in the Valier community, Commissioner Christiaens moved to rescind the Board's November 11, 2011 approval to lease County-owned Valier airport property to the Town of Valier for the recreational complex. Commissioner Broesder seconded; motion carried.

EXCAVATION AGREEMENTS APPROVED- April 11, 2012

Commissioner Broesder moved to approve the Excavation Agreements requested by Ray and Sharon Stoetzel to engage in excavation on and under the north end of Spur Rd where it meets Granite for the purpose of installing an irrigation system and the South end of Spur Road just beyond Tony Fowler Road for the purpose of installing a 6" irrigation line to the property south of Fowler Road.

Commissioner Christiaens seconded; motion carried.

TREASURER'S SECURITIES – April 11, 2012

Treasurer's Securities, as of April 11, 2012, were presented by Treasurer, Jeanne Moon, as follows:

March 31, 2012

Pondera County Commissioners

20 4<sup>th</sup> Ave SW

Conrad, MT 59425

Dear Commissioners,  
The following are the investments as of March 31, 2012

STIP \$2338.05 @.3392055%

**STOCKMAN BANK**

COUNTY REPURCHASE collateralized in the amount of \$9,227,745.65

DESCRIPTION	CUSIP #	MARKET VALUE PAR AMOUNT	AMT OF USED MATURITY DATE	SECURITY % COUPON RATE
FHLB .34%	313376CW3	\$10,008,100.00 \$10,000,000.00	\$9,320,023.10 05/21/2013	93.1247 % .3400 %
TOTAL MARKET VALUE.....		\$10,008,100.00		
TOTAL COLLATERAL VALUE...		\$9,320,023.10		
INTEREST RATE.....			.3500 %	

Stockman Banks Accounts totaling \$527,760.81

31331KQK9 \$820,000.00 FFCB 2000591 .57% Matures 7/5/13  
31331X3S9 \$225,000.00 FFCB 2000573 4.50% Matures 10/17/12

**RBC WEALTH**

3136FR2Z5 200,000.00 1.000% Due 09/26/2016  
3136FTPF0 250,000.00 .875% Due 11/23/2015  
3136FTPG8 300,000.00 1.25% Due 11/23/2016  
3136FTVF3 250,000.00 1.000% Due 12/28/2016

**RURAL FIRE DISTRICT TRUSTEES DECLARED ELECTED BY ACCLAMATION**

– April 11, 2012

The Rural Fire District Board members are elected to their positions. Montana law provides that if the number of candidates is equal to or less than the number of positions to be elected, the election administrator may cancel the election. In such case, the county governing body shall declare elected by acclamation each candidate who filed a nominating petition for a position. If a nomination is not made for one or more trustee offices, the county governing body shall appoint one or more trustees as necessary to fill those offices. A trustee taking office pursuant to this subsection serves the trustee term of office as if that trustee had been elected. Keith Hruska and Ernie Boumans each filed a Petition for Nomination. In accordance with Montana statute, Commissioner Broesder moved to declare Keith Hruska and Ernie Boumans elected by acclamation, for a term of three years. Commissioner Christiaens seconded; motion carried.

**EXCAVATION AGREEMENT APPROVED-** April 18, 2012

Commissioner Christiaens moved to approve the Excavation Agreement requested by 3 Rivers Telephone Cooperative to engage in excavation on and under Swanson Road for the purpose of installing a fiber optic telephone cable for service area up-grade. Commissioner Broesder seconded; motion carried.

**AGREEMENT APPROVED FOR MONTANA HEALTHY HOMES AND LEAD POISONING PREVENTION PROGRAM GRANT** – April 18, 2012

Commissioner Broesder moved to approve the Task Order Agreement between the Montana Department of Public Health and Human Services and the Pondera County Health Department to implement blood lead screening through home visiting services in the county to the target population defined as children 1-5 years of age who are enrolled in Medicaid and who live in housing built prior to 1978. The Health Department will receive funding in the amount of \$21,000.00 for the period from April 15, 2012 through August 31, 2012. Commissioner Christiaens seconded; motion carried.

**RESOLUTION #35 - AUTHORIZING BUDGET CHANGES (LEAD POISONING PROGRAM GRANT) – ADOPTED** – April 18, 2012

**PONDERA COUNTY MONTANA**  
RESOLUTION #35– 2011-12  
**CREATING MONTANA HEALTHY HOMES AND LEAD POISONING PREVENTION PROGRAM FUND AND**

AUTHORIZING BUDGET AMENDMENT

WHEREAS the Montana Code Annotated, Section 7-6-4006(c), grants the Board of County Commissioners the power and authority to appropriate money received from the federal or state government, regardless of the time the money is received and, pursuant to Section 7-6-4006(4), to amend the budget during the fiscal year by conducting public hearings at regularly scheduled meetings; and

WHEREAS the State of Montana Department of Public Health and Human Services (DPHHS) has notified Pondera County of the award of a federally funded grant in the amount of \$21,000 for the Montana Healthy Homes and Lead Poisoning Prevention Program, and

WHEREAS Pondera County, through their Health Department, will incur expenditures for services not to exceed \$21,000.00 for implementing blood lead screening through home visiting services in the county to the target population defined as children 1-5 years of age who are enrolled in Medicaid and who live in housing built prior to 1978; and

WHEREAS the Pondera County Commissioners conducted a hearing at their regularly scheduled meeting date on April 18, 2012 and there were no objections; and NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pondera County that the budget for Fund 2962 be established to show the receipt and expenditures of the \$21,000.00 grant funds, as follows:

<u>Revenue</u>	<u>Description</u>	<u>Prior Amount</u>	<u>New Amount</u>
2962-331021	Grant Revenue	\$ 0.00	\$21,000

  

<u>Expenditure</u>	<u>Description</u>	<u>Prior Amount</u>	<u>New Amount</u>
2962-403-440175-110	Wages	\$ 0.00	\$ 7,500
2962-403-440175-140	Benefits	\$ 0.00	\$ 1,000
2962-403-440175-210	Supplies	\$ 0.00	\$ 5,000
2962-403-440175-219	Equipment < \$5000	\$ 0.00	\$ 4,500
2962-403-440175-370	Travel	\$ 0.00	\$ 3,000

Adopted this 18<sup>th</sup> day of April, 2012 as moved by Commissioner Christiaens, seconded by Commissioner Broesder, 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

ATTEST:

/s/ Janice Hoppes

Janice Hoppes, Clerk & Recorder

/s/ Sandra J. Broesder

Sandra J. Broesder, Member

/s/ Joseph Christiaens

Joseph Christiaens, Member

MARCH MINUTES APPROVED - April 18, 2012

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

ELECTION JUDGES APPOINTED – April 18, 2012

Commissioner Broesder moved to appoint the following as election judges through May, 2013:

COURTHOUSE	HEART BUTTE – PCT 20	CONRAD - PRECINCT 24
Beverly J Widhalm	Brenda Cook	Libby Sullivan
Rose Marie Peterman	Carl Spotted Bear	Marian C Turk
Carol J Johns	Shawn Hall	Carol A Bain
Jane M Holzer	Tanya Montoya	Pam Crawford
Terri Iverson	Tilena Comes At Night	Betty McBratney
Jeanette McClain		
Judy R Larson		CONRAD - PRECINCT 27
Karen E Nelsen	VALIER - PRECINCT 34	Marilyn M Waite
Karla J Breeding	Lalonne Stokes	Linda Keil
	Jessie Wunderlich	Patricia Jones
BRADY - PRECINCT 19	Donna Mae Minarik	Cheryl Tongra
Betty J Styren		June Hovde

Donna Dunn	VALIER - PRECINCT 35	
Joan Weikum	Raylene Stark	CONRAD - PRECINCT 28
Vicky Lee Henry	Mary Jean Brophy	Marlene Hill
Jeanne Long	Joan Marie Layne	Bonnie J Kronebusch
		Reta Rae Weisgram
DUPUYER - PRECINCT 23		Donovan D Weisgram
Susan Lee Anderson		Jerry R Walston
Leanne M Hayne	Others as needed	Sharon Walston
Barbara Dodge		

Commissioner Christiaens seconded; motion carried.

ELECTION AUDIT COMMITTEE APPOINTED – April 18, 2012

Commissioner Christiaens moved to appoint Georgia Snortland, Stephanie Keil-Harris and Cheryl Curry as the election audit committee members through May, 2013. Commissioner Broesder seconded; motion carried.

POLLING PLACES DESIGNATED – April 18, 2012

Commissioner Broesder moved to designate the following as election polling places through December 2012:

- Precinct 19 Brady Community Center NOON to 8 p.m.
- Precinct 20 Heart Butte High School 7 a.m. to 8 p.m.
- Precinct 23 Dupuyer Community Center NOON to 8 p.m.
- Precinct 24 **PONDERA CENTER** 7 a.m. to 8 p.m. **\*\*NEW LOCATION**
- Precinct 27 **PONDERA CENTER** 7 a.m. to 8 p.m. **\*\*NEW LOCATION**
- Precinct 28 **PONDERA CENTER** 7 a.m. to 8 p.m. **\*\*NEW LOCATION**
- Precinct 34 Valier Civic Center 7 a.m. to 8 p.m.
- Precinct 35 Valier Civic Center 7 a.m. to 8 p.m.

All polling places are handicapped accessible and an AutoMARK machine is available at all polling places.

Commissioner Christiaens seconded; motion carried.

EXCAVATION AGREEMENT APPROVED- April 25, 2012

Commissioner Christiaens moved to approve the Excavation Agreement requested by Birch Creek Colony to engage in excavation on and under Molly Nipple Road for the purpose of installing an underground power line. Commissioner Broesder seconded; motion carried.

RESOLUTION #36 – AUTHORIZING BUDGET AMENDMENTS TO GENERAL FUND CAPITAL IMPROVEMENT FUND – ADOPTED – April 25, 2012

**PONDERA COUNTY MONTANA**  
**RESOLUTION #36- 2011/12**  
**AUTHORIZING BUDGET AMENDMENTS TO**  
**GENERAL FUND CAPITAL IMPROVEMENT FUND**

WHEREAS in Fiscal Year 2011-12, Pondera County Commissioners budgeted \$29,006 in the General Fund Capital Improvement Fund for purchase of election equipment and such appropriation has not been necessary but Pondera County has incurred capital improvement costs in the purchase of a copier for the courthouse in the amount of \$7,195.00; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pondera County that the budget for Fund 4012 (General Fund Capital Improvements Fund) be amended to decrease the appropriation for the purchase of election equipment by \$7,195.00 and to allocate the same to be used to pay capital improvement costs for a copier, as follows:

Expenditures	Description	Prior Amount	New Amount
4012-106-410601-947	Election Equipment	\$ 29,006.00	\$ 21,811.00
4012-101-410103-947	Office Equipment	\$ 0.00	7,195.00

Adopted this 25th day of April, 2012 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 & Recorder

/s/ Sandra J. Broesder

Sandra J. Broesder, Member

/s/ Joseph Christiaens

Joseph Christiaens, Member

**CLAIMS APPROVED FOR PAYMENT- April, 2012**

<i>FUND</i>	<i>AMOUNT</i>
GENERAL	\$ 48,344.77
ROAD	20,110.80
BRIDGE	3,535.75
WEED	1,161.27
AIRPORT	386.81
AMBULANCE	159.10
EXTENSION SERVICE	263.71
PUBLIC SAFETY (LAW ENFORCEMENT)	12,883.43
HEALTH INSURANCE - EMPLOYER CONTRIBUTION	1,126.15
BRADY LIGHTS MAINTENANCE	317.21
DUI PREVENTION	200.00
GAS APPORTIONMENT TAX	8,404.55
911 EMERGENCY	395.00
LAND USE PLANNING	800.00
VICTIM & WITNESS ADVOCATE	89.00
BUCKLE UP MT	1,154.22
DES GRANTS	2,621.48
BREAST & CERVICAL SCREENING	152.00
WIC GRANT	532.19
MATERNAL CHILD HEALTH	298.37
TOBACCO USE PREVENTION GRANT	308.52
NAPA GRANT	19.99
GENERAL FUND CAPITAL IMPROVEMENT	7,195.00
ROAD/BRIDGE CAPITAL IMPROVEMENT	945.00
REFUND FUND	3,642.60
<b>TOTAL CLAIMS</b>	<b>\$ 115,046.92</b>
<b>TOTAL PAYROLL</b>	<b>190,532.64</b>
<b>TOTAL CLAIMS AND PAYROLL FUNDS</b>	<b>\$ 305,579.56</b>

**ADJOURNMENT**

The meeting adjourned at 5:00 p.m. on April 30, 2012.

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CHAIRMAN, BOARD OF COUNTY COMMISSIONERS

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SECRETARY, BOARD OF COUNTY COMMISSIONERS  
PONDERA COUNTY, MONTANA