

***REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS
PONDERA COUNTY, MONTANA
Held in June, 2013***

The Board of Pondera County Commissioners met daily in informal session and in scheduled meetings on June 5, 12, 19, and 26, 2013. Unless indicated, all Commissioners were present.

COUNTY COMPENSATION BOARD WORK MEETING CONDUCTED – June 5, 2013

Attending: Commissioners Christiaens, Broesder and Hoppes, Clerk and Recorder Kody Farkell, Sheriff Tom Kuka, Treasurer Jeanne Moon, County Attorney Mary Ann Ries and citizen members, Dan Majerus and John McFarland. Also attending were Cheryl Gresczyk and Buck Traxler, Editor of The Independent-Observer.

Pursuant to 7-4-2503(4), Montana Code Annotated, county governments are required to appoint a county compensation board to prepare a compensation schedule for the elected county officials for the succeeding fiscal year. Also, in accordance with 7-4-2503(4), the Clerk and Recorder prepared and presented a worksheet showing salary comparisons to other counties as well as the City of Conrad and the Clerk of the Conrad School District and other demographics of the counties. The Board reviewed the worksheet and Attorney Mary Ann Ries discussed the contribution to the county from the state for her salaries and benefits (\$79,746) as well as the discrepancy between her wage and attorney's of the neighboring counties.

The cost-of-living adjustment (COLA) for governments has been set at 2.1% for fiscal year 2013-14. The County will see a decrease in the experience factor of the workers' compensation insurance rates. With the permissive levy the county will continue to cover 100% of employee health insurance.

The Clerk and Recorder and Treasurer each requested the additional compensation allowed for their positions.

Kuka moved to recommend up to a 2.1% increase in the elected official salary as well as payment of \$2,000 each to the Clerk and Recorder and Treasurer as allowed in Montana statute. Moon seconded. Motion carried.

Moon moved to have the Commissioners consider Ries' request to increase the County Attorney's salary to be more in line with neighboring counties. Kuka seconded the motion. Motion carried.

A public hearing on these items will need to be scheduled.

AGREEMENT FOR FIBER OPTICS INSTALLATION APPROVED – June 5, 2013

Commissioner Broesder moved to approve the Agreement requested by 3 Rivers Telephone Cooperative to upgrade fiber optic cables at the Valier Road Department shop and at the Dupuyer Firehall. Commissioner Hoppes seconded. Motion carried.

Also attending was Buck Traxler, The Independent Observer

ENCROACHMENT AGREEMENT APPROVED – June 5, 2013

Commissioner Hoppes moved to approve the Encroachment Agreement requested by Tom McFarland, Seven Block Inc, to encroach upon the county right-of-way for field access on Range View Road at ½ mile West of Frances Heights Road pending approval by Pondera County Road Supervisor. Commissioner Broesder seconded. Motion carried. Also attending was Buck Traxler, Editor of The Independent-Observer.

CONTRACT FOR DISPATCH SERVICES FOR THE CITY OF CONRAD APPROVED – June 5, 2013

The City of Conrad accepted and signed the Contract For Dispatch Services for the term of July 1, 2013 through June 30, 2016. Annual payments for dispatch services will be \$12,863 for FY2013-14, \$13,506 for FY2014-15, and \$14,181 for FY2015-16.

Commissioner Broesder moved to approve the Contract for Dispatch Services for the City of Conrad. Commissioner Hoppes seconded. Motion carried.

Also attending was Buck Traxler, Editor of The Independent Observer.

DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES TASK ORDER FOR IMMUNIZATION PROGRAM GRANT APPROVED – June 5, 2013

Commissioner Hoppes moved to approve Task Order 14-07-4-31-17 to the Master Contract for the Immunization Action Program (IAP). Commissioner Christiaens seconded. Motion carried.

Also attending was Buck Traxler, Editor of The Independent Observer.

DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES TASK ORDER FOR MATERNAL AND CHILD HEALTH BLOCK GRANT PROGRAM (MCH) APPROVED – June 5, 2013

Commissioner Hoppes moved to approve Task Order 14-07-5-01-037-0 to the Master Contract for the Maternal and Child Health Block Grant Program Grant (MCH). Commissioner Broesder seconded. Motion carried.

Also attending was Buck Traxler, Editor of The Independent Observer.

RESOLUTION DECLARING PROPERTY SURPLUS AND DISPOSAL – June 5, 2013

PONDERA COUNTY
RESOLUTION #35 – 2012/13

DECLARING PROPERTY SURPLUS AND DISPOSAL

WHEREAS, pursuant to Section 7-8-2211, MCA, Authorization to sell and exchange county property, the Board of Pondera County Commissioners declares the following personal property belonging to the County as surplus property which is not necessary to the conduct of county business or the preservation of its property:

- | | |
|------------------------------------|-------------------|
| Metal Desk | Zero dollar value |
| Texas Instrument TI8260 Calculator | Zero dollar value |

and

WHEREAS, the Commissioners have determined, pursuant to Section 7-8-2217, MCA, Procedure or sale of property of lesser value, it is in the best interests of the County to dispose of the above-listed surplus property.

OW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners:

- 1) hereby declares the property listed above as surplus property which is not necessary to the conduct of county business or the preservation of its property,
- 2) agrees to dispose of calculator as it is not functioning.
- 3) agrees to dispose of metal desk or sell as scrap metal.

ADOPTED this 5th day of June 2013, as moved by Commissioner Hoppes, seconded by Commissioner Broesder, and passed on a 3-0 vote of the full board. Effective on passage and approval.

PONDERA COUNTY COMMISSIONERS
Pondera County, Montana

/s/ Joseph Christiaens
Joseph Christiaens, Chairman

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

ATTEST:

/s/ Janice Hoppes
Janice Hoppes, Member

/s/ Kody L Farkell
Kody L. Farkell, Clerk and Recorder

RESOLUTION DECLARING SURPLUS PROPERTY AND SETTING SALE – June 5, 2013

PONDERA COUNTY
RESOLUTION #36 – 2012/13

DECLARING PROPERTY SURPLUS AND SETTING SALE

WHEREAS, pursuant to Section 7-8-2211, MCA, Authorization to sell and exchange county property, the Board of Pondera County Commissioners declares the following personal property belonging to the County as surplus property which is not necessary to the conduct of county business or the preservation of its property:

L-Shaped desk	fair market value: \$ 0.00
Brown office chair	fair market value: \$ 0.00
Gold office chair	fair market value: \$ 0.00
Grey office chair	fair market value: \$ 0.00

and

WHEREAS, the Commissioners have determined it is in the best interests of the County to sell the items to the public, pursuant to Section 7-8-2217, Montana Code Annotated,

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners:

- 1) hereby declares the property listed above as surplus property which is not necessary to the conduct of county business or the preservation of its property,
- 2) agrees to sell the property "as is" to the public, pursuant to Section 7-8-2217 Montana Code Annotated.
- 3) ADOPTED this 5th day of June, 2013, as moved by Commissioner Hoppes, seconded by Commissioner Broesder, and passed on a 3-0 vote of the full board. Effective on passage and approval

PONDERA COUNTY COMMISSIONERS
Pondera County, Montana

/s/ Joseph Christiaens

Joseph Christiaens, Chairman

ATTEST:

/s/ Kody L Farkell

Kody L. Farkell, Clerk and Recorder

/s/ Sandra J Broesder

Sandra J. Broesder, Member

/s/ Janice Hoppes

Janice Hoppes, Member

APPROVED DEPARTMENT OF INTERIOR FREQUENCY USE AGREEMENT – June 5, 2013

Commissioner Broesder moved and Commissioner Hoppes seconded to approve a 5-year agreement with Department of Interior for radio frequency use during wildfires. Motion carried.

Also attending was Buck Traxler, Editor of The Independent Observer.

INTERGOVERNMENTAL TRANSFER FOR PONDERA MEDICAL CENTER APPROVED – June 5, 2013

Commissioner Hoppes moved to approve the State of Montana Intergovernmental Agreement for the Transfer of Monies to the State, Fiscal Year 2013. Under this agreement, Pondera Medical Center will receive a lump sum payment of Medicaid monies for "at risk" county affiliated nursing facilities in the amount of \$763,859.10 from the Montana Department of Health and Human Services. Prior to the PMC receiving the payment, the county agrees to pay the matching funds amount of \$533,334.09. Pondera Medical Center provides the matching money to the county which, in turn, will provide the State of Montana with a county warrant the amount of the matching funds.

Commissioner Broesder seconded. Motion carried.

Also attending was Buck Traxler, Editor of The Independent Observer.

TAX ABATEMENTS/CANCELLATION APPROVED – June 12, 2013

Commissioner Broesder moved to approve tax abatement/cancellation 942.

Commissioner Hoppes seconded. Motion carried.

<u>NUMBER</u>	<u>REASON</u>	<u>CANCEL</u>	<u>ADD-ON</u>	<u>PARCEL #</u>
942	Appraisal review	12.16		2029200

APPROVED LEASE CONTRACT DEPARTMENT OF REVENUE - June 12, 2013

Commissioners received a contract agreement from Department of Revenue for office space in the Pondera County Courthouse. Agreement term will run July 1, 2013

through June 30, 2015. The Department of Revenue rent is set by Legislature and Pondera County will receive \$382.34 per month during fiscal year 2013-14 and \$372.50 for fiscal year 2014-15.

Commissioner Hoppes moved to accept the agreement, pending County Attorney Ries' approval and signature. Commissioner Broesder seconded. Motion carried. Also attending was Buck Traxler, Editor of the Independent Observer.

APPOINTMENT TO COUNTY COMPENSATION BOARD– June 12, 2013

Commissioner Broesder moved to re-appoint Dan Majerus to the County Compensation Board for a 3-year term. Commissioner Hoppes seconded. Motion carried.

Also present was Buck Traxler, Editor of The Independent Observer.

RESIGNATION OF DAVID EGAN – June 12, 2013

David Egan has submitted his resignation from employment as a member of the County road department effective June 27, 2013. David is also resigning from the Conrad Cemetery District Board also effective June 27, 2013. Commissioner Broesder moved to accept the resignation. Commissioner Hoppes seconded. Motion carried.

Also attending was Buck Traxler, Editor of The Independent-Observer.

AUTHORIZATION FOR E-INVOICING – June 12, 2013

Commissioner Hoppes moved and Commissioner Broesder seconded to authorize Rick Donaldson of Peccia and Associates to prepare and submit payment requests in Delphi eInvoicing on behalf of Pondera County for the Airport Improvement Program. Motion carried.

Also attending was Buck Traxler, Editor of the Independent Observer.

MAY MINUTES APPROVED – June 12, 2013

Commissioner Broesder moved to approve the May 2013 minutes of the Commissioners. Commissioner Hoppes seconded. Motion carried.

Also attending was Buck Traxler, Editor of the Independent Observer.

DISCUSSION ON SALE OF COUNTY OWNED LOTS – June 12, 2013

Commissioners Christiaens and Hoppes attended the Valier Town Council meeting June 10 to discuss the potential sale of county's Lots 1-6, Block 13, Valier Original. The Council had no concerns regarding the impact on the Town's drinking water nor waste water systems and the non-public ownership of the lots would be beneficial to their taxable value and tax revenue.

Also attending was Buck Traxler, Editor of the Independent Observer.

APPROVAL OF DUI TASK FORCE PLAN – June 12, 2013

Commissioner Hoppes moved to approve the fiscal year 2013-14 DUI Task Force plan. Commissioner Broesder seconded. Motion carried.

Commissioner Christiaens was absent.

DATE, TIME AND PLACE SET FOR PUBLIC HEARING ON PETITION TO ABANDON ROAD RIGHT-OF-WAY – June 20, 2013

Jacob Johnson has presented the Commissioners with a petition seeking the abandonment of the county road right of way existing on the Southern border on the Southwest Quarter (SW4) of Section 7, T29N, R5W. The petition is signed by the owners of record, as follows: Jacob R. Johnson – 2380 feet on the south border starting from the Southwest corner of the Southwest quarter (SW4), Section 7, T29N, R5W; Robert Kuka – a portion of the north half of the northwest quarter (N2NW4) of Section 18, T29N, R5W which borders Section 7; and Terry and Donna VandenBos – the northeast quarter of the NW quarter (NE4NW4) of Section 18, T29N, R5W.

The road right-of-way does not run with an established, maintained road and the County has no intention of establishing nor maintaining a road right-of-way.

The Pondera County attorney has reviewed statute regarding road right-of-way abandonment and has advised the Pondera County Commissioners that at least 10 signatures must be on the petition and a public hearing on the matter must be conducted.

Commissioner Broesder moved to set July 10, 2013 at 10:00 a.m. in the Commissioner's Office as the date, time and place for a public hearing on the petition. Commissioner Hoppes seconded. Motion carried.

DATE, TIME AND PLACE SET FOR PUBLIC HEARING ON PETITION TO ADOPT A RESOLUTION ADOPTING A BUILDING FOR LEASE OR RENT APPLICATION AND REVIEW PROCESS – June 20, 2013

The 63rd legislature and the Governor of Montana established a new land use review process applicable to buildings for lease or rent, effective September 1, 2013. The legislation requires local governments to adopt a resolution adopting a building for lease or rent application and review process. The resolution can be adopted after a public hearing on the matter.

Commissioner Broesder moved to set July 10, 2013 at 10:30 a.m. in the Commissioner's Office as the date, time and place for a public hearing on the resolution to adopt a building for lease or rent application and review process. Commissioner Hoppes seconded. Motion carried.

PUBLIC HEALTH EMERGENCY PREPAREDNESS TASK ORDER APPROVED – June 20, 2013

Commissioner Hoppes moved to approve the Task Order 14-07-6-11-038-0 for the Public Health Emergency Preparedness Grant. The County will receive \$28,143.00 for federal fiscal year 2013-14 for emergency public health preparedness activities. Commissioner Broesder seconded. Motion carried.

TAX ABATEMENTS/CANCELLATION APPROVED – June 26, 2013

Commissioner Hoppes moved to approve tax abatement/cancellation 943. Commissioner Christiaens seconded. Motion carried.

Commissioner Broesder was absent on County business.

Also attending was Buck Traxler, Editor of the Independent Observer.

<i>NUMBER</i>	<i>REASON</i>	<i>CANCEL</i>	<i>ADD-ON</i>	<i>PARCEL #</i>
943	Billboard exemption	15.04		1074200

FORAGE REMOVAL AGREEMENT LEONARD WILKE – June 26, 2013

Commissioner Hoppes moved to approve a forage removal agreement with Leonard Wilke on Wingina Road to Sullivan Bridge Road (on both sides) and on both sides of Mallard Springs Road. Commissioner Christiaens seconded. Motion carried.

Commissioner Broesder was absent on County business.

Also attending was Buck Traxler, Editor of the Independent Observer.

FORAGE REMOVAL AGREEMENT RAYMOND NICKLAUS – June 26, 2013

Commissioner Hoppes moved to approve a forage removal agreement with Raymond Nicklaus on Trunk Butte Road from Bullhead Road to Sunshine Road.

Commissioner Christiaens seconded. Motion carried.

Commissioner Broesder was absent on County business.

Also attending was Buck Traxler, Editor of the Independent Observer.

APPROVAL OF SECOND DRAWDOWN FOR BRADY COUNTY WATER & SEWER DISTRICT CDBG – June 26, 2013

Commissioner Hoppes moved to approve the Drawdown #2 on the Community Development Block Grant (CDBG) for the Brady County Water & Sewer District in the amount of \$2,000. Commissioner Christiaens seconded. Motion carried.

Commissioner Broesder was absent on County business.

Also attending was Buck Traxler, Editor of the Independent Observer.

RESOLUTION CANCELLING OUTSTANDING WARRANTS – June 26, 2013

PONDERA COUNTY MONTANA
RESOLUTION #37 – 2012/13
CANCELLATION OF OUTSTANDING WARRANTS

WHEREAS Section 7-6-2607, Montana Code Annotated, directs the Board of County Commissioners to examine the county warrants and cancel all county warrants that have remained uncalled for one (1) year or more; and

WHEREAS upon examination of the warrants paid from the Pondera County Petty Cash account maintained by the Pondera County Clerk and Recorder and the outstanding warrant register for claims and payroll warrants issued by Pondera County, there appears to be outstanding for more than one (1) year, the following warrants:

PETTY CASH FUND				
Check No.		Date Issue	Amount	Payable To
810		8/22/11	\$8.00	Nations Title
829		3/8/12	\$17.00	M Trent

CLAIMS FUND				
Warrant No.	Claim No.	Date Issued	Amount	Payable To
64080	53734	6/17/09	\$26.40	Alice Schultz
65018	54531	12/29/09	\$297.67	Verizon Wireless
65537	54900	4/21/10	\$6.00	Alfred DeBoo
66622	55929	11/30/10	\$481.13	Carol A Vandal
66894	56145	1/19/11	\$45.00	Paul Johnson

PAYROLL FUND				
Warrant No.		Date Issued	Amount	Payable To
None				

THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pondera County that the above warrants are hereby canceled; and

BE IT FURTHER RESOLVED that, pursuant to Section 7-6-2607(3), MCA, the Clerk and Recorder of Pondera County is directed to enter the cancellation of the above-referenced warrants and the date of said cancellation on the records of the Petty Cash account and Claims and Payroll Warrant Register, and, further, this resolution shall constitute the list of canceled warrants to be entered on the minutes of the Board.

Adopted this 26th day of June, 2013 as moved by Commissioner Hoppes, 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

 /Joseph Christiaens/
Joseph Christiaens, Chair

 absent
Sandra J. Broesder, Member

ATTEST:

 Kody L Farkell/
Kody L Farkell, County Clerk & Recorder

 /Janice Hoppes/
Janice Hoppes, Member

AUTHORIZATION FOR STOCKMAN BANK ACCOUNTS UPDATES – June 26, 2013

Commissioner Hoppes moved and Commissioner Christiaens seconded to update Stockman Bank E-Biz and ACH Account authorized users. Motion carried. Commissioner Broesder was absent on County business. Also attending was Buck Traxler, Editor of the Independent Observer.

MEETING TO REMAIN OPEN - June 26, 2013

Commissioner Hoppes moved and Commissioner Christiaens seconded to keep the meeting open for the remainder of the day. Motion carried. Commissioner Broesder was absent on County business. Also attending was Buck Traxler, Editor of the Independent Observer.

APPROVE CONTRACT WITH BERN & PUGH FOR SECTION 125 ACCOUNT – June 26, 2013

Commissioner Hoppes moved and Commissioner Christiaens seconded to approve a contract with Bern & Pugh to administer the county's Section 125 account. Motion carried.
Commissioner Broesder was absent on County business.

APPROVE PROPOSAL FOR SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM – EDUCATION CONTRACT – June 26, 2013

Commissioner Hoppes moved and Commissioner Christiaens seconded to approve the Supplemental Nutrition Assistance Program – Education for October 1, 2013 through September 30, 2014. Motion carried.
Commissioner Broesder was absent on County business.

CLAIMS APPROVED FOR PAYMENT – June 30, 2013

<i>FUND</i>	<i>AMOUNT</i>
GENERAL	\$ 56,331.09
ROAD	70,502.65
BRIDGE	18,930.77
WEED	4,093.14
PPREDATORY ANIMAL	1,108.50
COUNTY FAIR	2,500.00
AIRPORT	1,626.97
AMBULANCE	198.04
COMPREHENSIVE INSURANCE	0.00
COUNTY HOSPITAL & NURSING HOME	533,334.09
DEBT SERVICES HOSPITAL 95	300.00
EXTENSION SERVICE	5,562.06
PUBLIC SAFETY (LAW ENFORCEMENT)	13,906.20
HEALTH INSURANCE - EMPLOYER CONTRIBUTION	474.63
RECORDS PRESERVATION	0.00
BRADY LIGHTS MAINTENANCE	662.61
NORTHERN TRANSIT INTERLOCAL	477.78
LIBRARY	76,614.51
SENIOR CITIZENS	12,000.00
DUI PREVENTION	720.00
GAS APPORTIONMENT TAX	0.00
911 EMERGENCY	5,173.75
PUBLIC SAFETY CAPITAL IMPROVEMENTS	0.00
LAND USE PLANNING	300.00
BUCKLE UP MT	2,148.30
NOXIOUS WEED GRANT	4,660.92
VICTIM & WITNESS ADVOCATE	442.00
FEMA PDA GRANT	0.00
EMERGENCY PREPAREDNESS GRANT	3,230.57
BREAST & CERVICAL SCREENING	196.00
WIC GRANT	422.58
MATERNAL CHILD HEALTH	576.36
IMMUNIZATION ACTION PROGRAM	513.97
TOBACCO USE PREVENTION GRANT	1,637.01
NAPA GRANT	685.55
HEALTHY CHILD (LEAD POISONING) GRANT	169.62
JUNK VEHICLE GRANT	1,737.08
ROAD/BRIDGE EQUIP PURCHASE	0.00
ARRA HUB & SPOKE DEQ GRANT	0.00
REFUND FUND	<u>7,501.29</u>

TOTAL CLAIMS	\$	828,738.04
TOTAL PAYROLL		<u>220,796.61</u>
TOTAL CLAIMS AND PAYROLL FUNDS		<u><u>1,049,534.65</u></u>

ADJOURNMENT

The meeting adjourned at 5:00 p.m. on June 30, 2013. Pondera County, Montana

Pondera County, Montana

Joseph Christiaens, Chairman

ATTEST:

Kody L. Farkell, Clerk & Recorder