

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

The Board of Pondera County Commissioners met daily in informal session and in scheduled meetings on March 6, 13, 20 27, 2013. Unless indicated, all Commissioners were present.

**PUBLIC HEARING ON UNITED GRAIN CORPORATION APPLICATION FOR
NEW INDUSTRY CLASSIFICATION CONDUCTED – March 1, 2013**

Attending: Commissioners Christiaens and Hoppes, Mary Ann Ries, County Attorney, Dan Picard, County Extension Agent, Sarah Converse, Sweetgrass Development, Conrad Peterson, Lead Industrial Appraiser, MT Department of Revenue, Seth Krupar, Montana Department of Revenue, Kory Hofland, Unit Manager, Montana Department of Revenue, Brian Wixom, United Grain Corporation MT, Ronald Plushnick, Treasurer, United Grain Corporation, Ron Ostberg, Teton County Commissioner, and Roger Keith, Pondera County Rural Fire District. One letter of comment was received from Dennis Fladstol.

The notice of the hearing was published in The Independent-Observer and The Valerian in the February 15th and 22nd, 2013 issues.

Commission Chair Christiaens called the hearing to order at 1:30 p.m. at the Pondera Center, 311 S Virginia St, Conrad. Christiaens stated the intent of the hearing is to hear public input and the matter would be taken under advisement with a decision to be made at a later date.

Ronald Plushnick cited several reasons for choosing Pondera County as an origination site for their export facilities in Vancouver, Washington, as the Pondera County location had shuttle train capabilities and they were looking for a spring wheat area. The company picked Montana over an additional site in North Dakota because of the tax incentive (abatement) in Montana.

United Grain looks at the local impact of their facility as the ability to process/export 9,000,000 bushels purchased from local producers annually, the hiring of 4-5 permanent and 2-3 seasonal employees, 20% of the construction costs were sourced locally, the shuttle train price advantage to be passed through to local producers, the replacement of the Midway West Bridge at their expense of \$71,250, revenue generated through local property taxes and the potential of offloading sand for fracking should be oilfield industry increase.

Mr. Hofland of the Montana Department of Revenue presented the Department's most recent valuation estimate of \$14,500,000 for the United Grain facility. Based on the valuation and tax levies at this point in time, the Department calculated the taxes on the United Grain facility (beginning with tax year 2013) as \$1,060,926 without the incentive and at \$777,129 with the incentive. The estimates by the Department of Revenue assumes the mill levy remains constant at 362.13 mills, there are no changes in the real or personal property tax rates over the 10 year period, no additions or deletions to the facility over the 10 year period, the assumption of a 3% annual inflation and that the assets are depreciated on a 16 year economic life.

Commissioner Hoppes presented a worksheet of the potential impacts on the various tax levying jurisdictions showing the Conrad School District, the County General Fund, Road and Bridge Funds and Public Safety Funds as the jurisdictions having the highest percentage of impact. The worksheet was compiled prior to the hearing and was based on valuation and tax impacts on figures provided by the Department of Revenue that have since been updated and did not correspond to the valuations presented at the hearing and will need to be updated.

Public Comment consisted of a few general questions that were not specific to this application but rather to the process, as well as a question as to the completion date of the construction. Mr. Plusnick stated the target to complete testing of the facility is the end of March, 2013 and approximately mid-April as the target to begin taking in grain. During open comment, Mr. Hofland indicated that should the application be granted, the County Commissioners can specify, in their resolution, the year the abatement would begin and also include language that would hamper additional tax breaks for the company such as a decrease in the cost to build which is sometimes lower in industrial projects at the time of completion than at the time the project was in construction.

One letter of opposition to the granting of the application was received prior to the hearing.

There being no further comments to come before the hearing, the hearing closed at 2:20 p.m.

AUTHORIZATION FOR PHONEFACTOR AGREEMENT: E-BIZ ACCOUNTS–
March 6, 2013

Commissioner Hoppes moved and Commissioner Christiaens seconded to add the Section 125 account to Clerk & Recorder Kody Farkell's Stockman Bank E-Biz Account access. Motion carried. Also present was Buck Traxler, Editor of The Independent-Observer. Commissioner Broesder was absent on County Business.

APPROVAL OF EMPLOYEE USE OF FAMILY MEDICAL LEAVE ACT – March 6, 2013

Commissioner Hoppes moved and Commissioner Christiaens seconded to approve time off in accordance with the Family Medical Leave Act for Cheryl Gresczyk. Motion carried. Also present was Buck Traxler, Editor of The Independent Observer. Commissioner Broesder was absent on County Business.

ELECTION TO CONRAD COUNTY WATER DISTRICT – March 6, 2013

With the recent formation of the Conrad County Water District, a special election was required to create a Board of Trustees. 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. Eugene Underdahl, Keri DeGroat, and J.T. Shirley filed a Petition for Nomination. In accordance with Montana statute, Commissioner Hoppes moved to declare Eugene Underdahl, Keri DeGroat, and J.T. Shirley elected by acclamation. Terms will be until December 31, 2013. Commissioner Christiaens seconded. Motion carried.

Eugene Underdahl and Keri DeGroat will each hold a two year term and J.T. Shirley a one year term.

A regular election will take place in November 2013.

Also present was Buck Traxler, Editor of The Independent Observer. Commissioner Broesder was absent on County Business.

APPROVAL OF FIRST DRAWDOWN FOR BRADY COUNTY WATER & SEWER DISTRICT CDBG – March 13, 2013

Commissioner Hoppes moved to approve the Drawdown #1 on the Community Development Block Grant (CDBG) for the Brady County Water & Sewer District in the amount of \$3,000. Commissioner Christiaens seconded. Motion carried. Also present was Buck Traxler, Editor of The Independent Observer. Commissioner Broesder was absent.

SCHEDULE MEETING REGARDING ORDINANCE PROHIBITING IRRIGATION WATERING ON COUNTY ROADS – March 13, 2013

Commissioners will have meeting for the public to review the Draft Policy regarding enforcement of the Irrigation On County Roads Prohibited Ordinance at 10:00 a.m. on March 19, 2013. Citizens who attended the October 2012 public hearings on this ordinance have been notified of the meeting. Also present was Buck Traxler, Editor of The Independent Observer.

ENTERED INTO AGREEMENT FOR ENGINEERING SERVICES AT THE CONRAD AIRPORT – March 13, 2013

Commissioner Hoppes moved to approve and sign the Agreement to Furnish Engineering Services for Improvements To The Conrad Airport, with Robert Peccia and Associates. Commissioner Broesder seconded. Motion carried. Also present was Buck Traxler, Editor of The Independent Observer.

A RESOLUTION ENTITLED; "A RESOLUTION OF THE COUNTY OF PONDERA, APPROVING A LOAN IN THE AMOUNT OF \$6,750.00, TOGETHER WITH INTEREST THEREON AT THE RATE OF 1.625% PER ANNUM ON THE UNPAID BALANCE OF THE PRINCIPAL UNTIL PAID, FROM THE AERONAUTICS DIVISION OF THE DEPARTMENT OF TRANSPORTION OF THE STATE OF MONTANA TO THE COUNTY OF PONDERA, FOR THE PURPOSE OF RUNWAY MAINTENANCE COSTS AT THE PONDERA COUNTY AIRPORT, LOCATED IN CONRAD, MONTANA, PROVIDING FOR THE REPAYMENT OF LOAN, AND THE TERMS THEREOF," – March 13, 2013

PONDERA COUNTY, MONTANA
RESOLUTION NO. 27 – 2012/13

A RESOLUTION ENTITLED; "A RESOLUTION OF THE COUNTY OF PONDERA, APPROVING A LOAN IN THE AMOUNT OF \$6,750.00, TOGETHER WITH INTEREST THEREON AT THE RATE OF 1.625% PER ANNUM ON THE UNPAID BALANCE OF THE PRINCIPAL UNTIL PAID, FROM THE AERONAUTICS DIVISION OF THE DEPARTMENT OF TRANSPORTION OF THE STATE OF MONTANA TO THE COUNTY OF PONDERA, FOR THE PURPOSE OF RUNWAY MAINTENANCE COSTS AT THE PONDERA COUNTY AIRPORT, LOCATED IN CONRAD, MONTANA, PROVIDING FOR THE REPAYMENT OF LOAN, AND THE TERMS THEREOF,"

WHEREAS, the County of Pondera, hereinafter known as "SPONSOR", has approval from the Aeronautics Division of the Department of Transportation of the State of Montana, hereafter know as "DIVISION", for a loan of State funds in the amount of \$6,750, together with interest thereon at the rate of 1.625% per annum of the unpaid balance of the principal until paid, for the purpose of Airport Improvements described above.

The DIVISION, has prescribed the terms and conditions under which loan is to be repaid, to wit: Said sum of \$6,750 together with interest thereon at the rate of 1.625% per annum on the unpaid balance of the principal until paid, must be repaid to the DIVISION, in annual installments in such payment amounts and in accordance with the schedule of repayments as set forth in the repayment schedule attached hereto and marked EXHIBIT "A".

The SPONSOR accepts such DIVISION monies and agrees to expend same upon such terms and conditions as are prescribed by the DIVISION, and in accordance with the Airport Aid Application Part Four (Representations), Part Five (Sponsor Assurances) and Part Six (Project Agreement) and by this reference incorporated herein as though fully set forth.

NOW, THEREFORE, IT IS RESOLVED by the County of Pondera, known herein as the SPONSOR, as follows:

1. SPONSOR hereby agrees to receive and expend such loan totaling \$6,750 for the improvements of the Pondera County Airport, located in Conrad, Montana, in the manner and form applied for, and as approved by the DIVISION.
2. That in consideration of said loan, that SPONSOR hereby obligates itself during the period of time as set forth in EXHIBIT "A", to repay to the DIVISION, the loan of \$6,750, together with interest thereon at the rate of 1.625% per annum on the unpaid balance of the principal until paid, in annual installments in accordance with EXHIBIT "A". The first of said payments, in the amount as stated in EXHIBIT "A" will be made on or before the date set forth in EXHIBIT "A", in the full amount of the loan together with interest as aforesaid; and
3. The SPONSOR shall have the right of prepayment of the principal and interest of the loan, or any part thereof, without penalty, at any time. Any prepayment shall be applied first to interest then accrued at the time of payment and the balance of the payment shall be applied to the principal balance of the loan at the time of prepayment. Any prepayment of principal shall accordingly reduce the amount of interest to be paid on the loan. The prepayment shall not relieve the SPONSOR from making the next succeeding payment installment or installments when due until the total balance of the loan is paid in full.
4. SPONSOR, in consideration of said loan, does hereby obligate itself to include within its budget for the period of time during which loan is to be repaid,

March 2013

sufficient funds to pay and discharge loan together with interest thereon in the amount as stated in EXHIBIT "A".

Adopted this 13th day of March, 2013 as moved by Commissioner Hoppes, seconded by Commissioner Broesder, and passed on a unanimous vote of the full board. Effective upon passage and approval.

BOARD OF COUNTY COMMISSIONERS
Pondera County, Montana

/s/ Joseph Christiaens
Joseph Christiaens, Chairman

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

Attest: /s/ Kody L. Farkell
Kody L. Farkell, Clerk & Recorder

/s/ Janice Hoppes
Janice Hoppes, Member

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

DISCUSSION ON CONRAD AIRPORT MAINTENANCE – March 13, 2013

Commissioners have been discussing hiring an outside source for snow removal at the Conrad Airport as well as options for restroom facilities at the airport. Details will be discussed at the next Airport Board meeting scheduled for March 19th at 5 p.m. at the Commissioner's office.

DISCUSSION WITH JOHN WATSON REGARDING ZONING OF BRADY SCHOOL
– March 20, 2013

John Watson, potential buyer of the Brady School, requested a letter regarding the allowed use of the Brady school building.

Pondera County has no zoning requirements in any unincorporated areas of the county, therefore the former school building in Brady is suitable for conversion to a residential building,

Commissioner Broesder moved to provide a letter to serve as a Certificate of Occupancy to Watson. Commissioner Hoppes seconded the motion. Motion carried. Also present was Cheryl Curry, Pondera Regional Port Authority.

INDUSTRY CLASSIFICATION APPLICATION – UNITED GRAIN CORPORATION
– APPROVED – March 20, 2013

The commissioners discussed the pros and cons of the request of United Grain Corporation for tax relief for a period of ten years on the new shuttle train grain elevator facility in Conrad. The Montana Department of Revenue currently has an initial investment value on the facility of \$14,500,000 and Montana law allows counties to provide an incentive to new or expanding industries to apply for tax relief over the course of a ten year period. Considered by the commissioners were the impact on county taxpayer, the business-friendly perception of Pondera County, potential for additional jobs and that the tax relief is available to not only new business but to expanding businesses in the county.

Based on the Department of Revenue's current investment valuation, the value of a mill in the county will increase and United Grain will be participating in paying the resulting tax. Even with the granting of the incentive, the result is a larger taxpayer base to share the total bill, resulting in lower taxes for current taxpayers. The County would realize a lesser amount over the ten-year incentive period, however, the County would still gain approximately \$777,000 in additional tax paid by United Grain Corporation.

The incentive is widely implemented throughout Montana as a way to encourage businesses to locate and/or improve or expand in their county and new businesses look at the record of the counties when determining locations for their business (or improvements or expansions in their current business). Pondera County has previously granted the application to expanding businesses but this is the first new business to locate in Pondera County since this statute was passed in Montana.

Additional jobs in the County with the potential for additional families, school children, trade with local businesses and other factors brings relief to taxpayers as well and should be encouraged.

Following discussion, Commissioner Broesder moved to approve the application of United Grain Corporation. Commissioner Hoppes seconded; motion carried. Also present was Cheryl Curry, Pondera Regional Port Authority.

CTEP FUNDING REQUEST APPROVED – March 20, 2013

The Commissioners met with Bert Rigby regarding the railroad museum project utilizing the BNSF Depot building in Conrad. Rigby requested \$10,000 of the county's Community Transportation Enhancement Program (CTEP) funds be used for the project. After discussion, Commissioner Hoppes moved and Commissioner Broesder seconded to set aside \$10,000 of the accrued CTEP money for the railroad museum project, to be revisited as the project is developed. Also present was Cheryl Curry, Pondera Regional Port Authority.

AUTHORIZING BUDGET AMENDMENTS TO GENERAL FUND – COUNTY SANITARIAN – March 20, 2013

PONDERA COUNTY MONTANA
RESOLUTION #28 - 2012/13

AUTHORIZING BUDGET AMENDMENTS TO
GENERAL FUND – COUNTY SANITARIAN

WHEREAS the Montana Code Annotated, Section 7-6-4006(4), 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 County Sanitarian has been offered one-time funding for performing assessments of public school buildings in Pondera County at the rate of \$375 per school. County Sanitarian will not exceed expenditures of \$375 per school.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pondera County that the budget for Fund 1000, Department 446, County Sanitarian, be amended as follows:

Revenue	Description	Prior Amount	New Amount
1000-446-344095-350	School Assessments	\$0.00	\$1,875.00
Expenditure	Description	Prior Amount	New Amount
1000-446-440162-350	School Assessments	\$0.00	\$1,875.00

Adopted this 20th day of March, 2013 as moved by Commissioner Broesder, seconded by Commissioner Hoppes, and passed on a unanimous vote of the full board. Effective on passage and approval.

BOARD OF COUNTY COMMISSIONERS
Pondera County, Montana

/s/ Joseph Christiaens
Joseph Christiaens, Chairman

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

Attest: /s/ Kody L. Farkell
Kody L. Farkell, Clerk & Recorder

/s/ Janice Hoppes
Janice Hoppes, Member

Also present was Cheryl Curry, Pondera Regional Port Authority.

RESOLUTION SUPPORTING NOMINATION OF HON. JAMES D. HEALY TO
NATIONAL FREIGHT ADVISORY COMMITTEE – March 20, 2013

Pondera County, Montana
Resolution # 29 2012/13

Resolution Supporting Nomination of
Hon. James D. Healy to
National Freight Advisory Committee

WHEREAS, the U.S. Department of Transportation is establishing a National Freight Advisory Committee (NFAC) and soliciting nominations for membership; and

WHEREAS, the NFAC will provide advice and recommendations to the Secretary of Transportation on matters related to freight transportation in the United States, including: (1) Implementation of the freight transportation requirements of MAP 21; (2) Establishment of the National Freight Network; (3) Development of a National Freight Strategic Plan; (4) Development of strategies to help States implement State Freight Advisor Committee and State Freight Plans; and (5) Development of measures of conditions and performance in freight transportation; (6) Development of freight transportation investment, data, and planning tools; and (7) Legislative recommendations; and

WHEREAS, the Secretary of Transportation has requested nominations for members of the Committee to ensure a wide range of members and a balanced Committee; and

WHEREAS, the Secretary of Transportation will appoint committee members with a view toward achieving varied perspectives on freight transportation, including from government bodies, and seeking to balance the interests of many groups including those of local elected officials; and

WHEREAS, Counties play an integral role in the movement of freight in America owning and operating: 44% of all public roads and highways; 228,026 bridges of all kinds; 27% of public transit systems; and 30% of public airports; and

WHEREAS, Elected County Officials play a key role in economic development efforts in their regions and development of new regional transportation infrastructure, serving on, or being actively involved in, all of the nations Port Authorities, Metropolitan Planning Organizations and Development Organizations ; and

WHEREAS, the Honorable James D. Healy, County Commissioner, serves as Transportation Chairman for the National Association of Counties (NACo), having also served NACo as Chairman of the Highway, Airport and Transit Authorization Sub-Committees, and serves as a member of the Board of Directors for the National Association of Regional Councils (NARC), and served as the Chairman and Vice-Chairman of the Transportation and Public Works Committees in his home County, as well as a past member of his local regional planning organization;

WHEREAS, the Honorable James D. Healy has been a vocal proponent of local governments working together in cooperation with the freight, shipping and railroad industries, hosting the first freight/railroad summit last year bringing together 250 local elected officials and representatives of the freight, shipping and railroad industry, and is singularly responsible for the positive dialogue now occurring between local government officials and the railroad industry.

NOW THEREFORE, BE IT RESOLVED the Board of County Commissioners for Pondera County, Montana, do hereby request the Secretary of Transportation to appoint the Honorable James D. Healy, County Commissioner, as a member of the NFAC Committee, to represent the views and interests of local governments in America.

Adopted this 20th day of March, 2013 as moved by Commissioner Broesder, seconded by Commissioner Hoppes and passed on a unanimous vote of the full board. Effective on passage and approval.

BOARD OF COUNTY COMMISSIONERS
Pondera County, Montana

/s/ Joseph Christiaens

/s/ Sandra J. Broesder

March 2013

Joseph Christiaens, Chairman

Sandra J. Broesder, Member

Attest: /s/ Kody L. Farkell
Kody L. Farkell, Clerk & Recorder

/s/ Janice Hoppes
Janice Hoppes, Member

Also present was Cheryl Curry, Pondera Regional Port Authority.

CONFORMING PRECINCT BOUNDRIES TO LEGISLATIVE BOUNDRIES
FOLLOWING THE ADOPTION OF THE 2013 LEGISLATIVE DISTRICTING PLAN
– March 20, 2013

Upon reviewing the changes to legislative boundaries based on the adoption of the 2013 Legislative Districting Plan Commissioner Hoppes moved and Commissioner Broesder seconded to keep Precinct boundaries within Pondera County as adopted by Resolution #25 (February 2004) and recorded on Page 268 of Book 13 of the Pondera County Commissioners minutes. Motion carried.

IRRIGATION WATER ON COUNTY ROADS ORDINANCE – March 20, 2013

POLICIES

IRRIGATION WATER ON COUNTY ROADS ORDINANCE

All County Roads, recognized as such per the final adoption of Pondera County Roads Resolution of February 23, 2011, as well as roads built and designated as county roads after February 23, 2011, will be subject to these policies and Ordinance #01 – 2012/13 dated October 31, 2012.

A person commits the offense of PERMITTING IRRIGATION WATER ON A COUNTY ROAD if he purposely, knowingly, or negligently permits water from an irrigation ditch or irrigation sprinkler system to flow or spray onto a county road, thereby damaging the road or rendering the road unsafe for vehicular passage or obstructing or preventing the use of the road by vehicles.

1. Some of those County Roads may not be regularly maintained, however, liability for a hazard on those unmaintained roads must be considered as potential impacts on Pondera County taxpayers.
2. Each reported incident of water from any irrigation ditch or sprinkler system will be considered individually and investigated prior to any action.
3. Infrequent incidents, not apparently purposeful, and acts of nature should not be considered as subject to this ordinance, in the event they result in irrigation water being pumped onto County Roads, however, these incidents will all be considered and/or investigated.
4. First offense will be a written “warning” citation.
5. Second offense will be a citation. A person convicted under this Ordinance shall be fined not to exceed \$100 or be imprisoned in the county jail for any term not to exceed 30 days, or both. Restitution shall be considered by the Court. Each day of violation of this ordinance shall constitute a separate offense.

Adopted this 20th day of March, 2013 as moved by Commissioner Hoppes, seconded by Commissioner Broesder and passed on a unanimous vote of the full board. Effective immediately.

BOARD OF COUNTY COMMISSIONERS
Pondera County, Montana

/s/ Joseph Christiaens
Joseph Christiaens, Chairman

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

Attest: /s/ Kody L. Farkell
Kody L. Farkell, Clerk & Recorder

/s/ Janice Hoppes
Janice Hoppes, Member

AUDIT CONTRACT AMENDMENT - APPROVED - March 20, 2013

Commissioner Hoppes moved and Commissioner Broesder seconded to approve the Amended Standard Audit Contract with Denning, Downey & Associates lowering the audit fees for 2012-2013. Motion carried.

GRANTING UNITED GRAIN CORPORATION A TAX BENEFIT FOR NEW OR EXPANDING INDUSTRY – March 20, 2013

PONDERA COUNTY
RESOLUTION #30- 2012/13
GRANTING UNITED GRAIN CORPORATION A TAX BENEFIT
FOR NEW OR EXPANDING INDUSTRY

WHEREAS, the Board of County Commissioners of Pondera County has been presented with a State of Montana Department of Revenue Form CAB-1, New or Expanding Industry Classification Application by United Grain Corporation, pursuant to Section 15-24-1402, MCA; and

WHEREAS, the legal description of the affected property is:
Township 28N, Range 3 West
Section 34: W2SE4, SW4NE4, Part N2NE4
Pondera County, Montana; and

WHEREAS, in their application for tax benefits dated November 14, 2012, United Grain Corporation has indicated their intention to construct a 1,000,000 bushel grain elevator with associated equipment, office and rail yard with an estimated investment in excess of \$125,000, qualifying it as a new industry pursuant to 15-24-1401(3), MCA; and

WHEREAS, in support of its application, United Grain Corporation stated the construction permit was issued 3/5/2012 and no application for new industry classification under 15-6-135, MCA, has been made to the Department of Revenue for these facilities; and

WHEREAS, due notice as defined in 76-15-103 MCA was given by publishing the notice of public hearing in The Independent-Observer, a newspaper of general circulation in Pondera County, on February 15 and 22nd, 2013; and

WHEREAS, all taxing jurisdictions affected by the potential tax benefit were notified of the public hearing on the New or Expanding Industry Classification Application by United Grain Corporation by certified mail; and

WHEREAS, a public hearing was held in the Pondera Center, 311 S Virginia Street, Conrad, Montana on March 1, 2013 to discuss with the public, hear their opinions, and answer questions about the New or Expanding Industry Classification Application by United Grain Corporation; and

WHEREAS, the tax relief requested by United Grain Corporation in its New or Expanding Industry Classification Application, if granted, would impact and potentially burden all taxpayers in Pondera County and any tax relief in violation of any provision of 15-24-1401 or 15-24-1402 shall allow for the recapture of all taxes avoided, plus, in the event of nonpayment of property taxes provided in 15-16-102, MCA, interest and penalties.

WHEREAS, should United Grain Corporation apply for any additional tax relief, via an AB-26 procedure (informal review), or any other avenue, during the term of the tax relief granted herein, United Grain Corporation shall notify the Pondera County Commissioner of their request for informal review by the Montana Department of Revenue (or any other avenue for additional tax relief). Any such application will render this resolution null and void and United Grain Corporation shall pay to Pondera County all taxes avoided, plus, in the event of nonpayment of property taxes provided in 15-16-102, MCA, all interest and penalties as a result of nonpayment of taxes.

NOW, THEREFORE, BE IT RESOLVED that the November 14, 2012 New or Expanding Industry Classification Application submitted by United Grain Corporation with respect to the land, buildings or structures situated on
Township 28N, Range 3 West
Section 34: W2SE4, SW4NE4, Part N2NE4

March 2013

Pondera County, Montana;
 be and is hereby approved and that said new industry be taxed pursuant to the Section 15-24-1402, MCA.

BE IT FURTHER RESOLVED that approval of this application by the Board of County Commissioners is based solely on the information stated under penalty of perjury by the Applicant. The Board of County Commissioners acknowledges that the State of Montana Department of Revenue may approve or disapprove applicant's tax reduction based on the criteria controlling such approval. In the event the application is disapproved by the Department of Revenue, this Resolution has no force or effect.

BE IT FURTHER RESOLVED that the allowed benefit is, pursuant to 15-24-1402, Montana Code Annotated:

Construction year is 2013
 1st year through 5th year, taxed at 50% of taxable value (tax years 2013, 2014, 2015, 2016 and 2017);
 6th year through 10th year, Subject to 15-10-420, taxed at increased equal percentages until the full taxable value is attained in the 10th year (tax years 2018, 2019, 2020, 2021 and 2022). In subsequent years, the property must be taxed at 100% of its taxable value

BE IT FURTHER RESOLVED, any tax relief granted herein in violation of any provision of 15-24-1401 or 15-24-1402 by United Grain Corporation shall be recaptured by payment by United Grain Corporation of all taxes avoided, plus, in the event of nonpayment of property taxes provided in 15-16-102, MCA, interest and penalties.

BE IT FURTHER RESOLVED, should United Grain Corporation apply for any additional tax relief, via an AB-26 procedure (informal review), or any other avenue, during the term of the tax relief granted herein, United Grain Corporation shall notify the Pondera County Commissioner of their request for informal review by the Montana Department of Revenue (or any other avenue for additional tax relief). Any such application will render this resolution null and void and United Grain Incorporation shall pay to Pondera County all taxes avoided, plus, in the event of nonpayment of property taxes provided in 15-16-102, MCA, all interest and penalties as a result of nonpayment of taxes.

Adopted this 20th day of March, 2013 as moved by Commissioner Broesder, seconded by Commissioner Hoppes, and passed on a unanimous vote of the full board. Effective on passage and approval.

BOARD OF COUNTY COMMISSIONERS
 Pondera County, Montana

/s/ Joseph Christiaens
 Joseph Christiaens, Chairman

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

Attest: /s/ Kody L. Farkell
 Kody L. Farkell, Clerk & Recorder

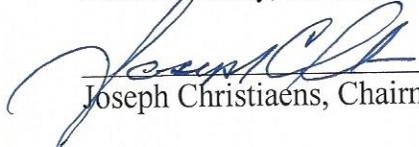
/s/ Janice Hoppes
 Janice Hoppes, Member

No meeting was held on March 27. All three commissioners were attending the Montana Association of County Road Supervisors meetings.

CLAIMS APPROVED FOR PAYMENT - March 31, 2013

<i>FUND</i>	<i>AMOUNT</i>
GENERAL	\$ 23,303.15
ROAD	18,630.59
BRIDGE	4,193.19
WEED	611.49
COUNTY FAIR	0.00
AIRPORT	406.87
AMBULANCE	181.40
COUNTY HOSPITAL & NURSING HOME	0.00
EXTENSION SERVICE	4,788.37
PUBLIC SAFETY (LAW ENFORCEMENT)	45,221.70
HEALTH INSURANCE - EMPLOYER CONTRIBUTION	435.44
RECORDS PRESERVATION	0.00
BRADY LIGHTS MAINTENANCE	329.77
DUI PREVENTION	0.00
GAS APPORTIONMENT TAX	715.10
LAND USE PLANNING	791.06
911 EMERGENCY	0.00
NORTHERN TRANSIT INTERLOCAL	202.59
VICTIM & WITNESS ADVOCATE PROGRAM	730.00
BUCKLE UP MT	75.00
EMERGENCY PREPAREDNESS GRANTS	142.93
HEALTHY CHILD (LEAD POISONING) GRANT	0.00
BREAST & CERVICAL SCREENING	25.00
WIC GRANT	391.35
MATERNAL CHILD HEALTH	35.45
IMMUNIZATION ACTION GRANT	357.80
TOBACCO USE PREVENTION GRANT	1,133.88
NAPA GRANT	544.13
REFUNDS	3,321.62
ROAD/BRIDGE EQUIP PURCHASE	27,500.00
PUBLIC SAFETY CAPITAL IMPROVEMENT	26,094.00
TOTAL CLAIMS	\$ 160,161.88
TOTAL PAYROLL	188,753.41
TOTAL CLAIMS AND PAYROLL FUNDS	\$ 348,915.29

Pondera County, Montana


Joseph Christiaens, Chairman

ATTEST:


Kody Farkell, Clerk & Recorder

March 2013