

**REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS
PONDERA COUNTY, MONTANA
Held in April, 2014**

The Board of Pondera County Commissioners met daily in informal session and in scheduled meetings on April 2, 9, 16, 23, and 30, 2014. Unless indicated, all Commissioners were present.

REQUEST FOR PROPOSALS OPENED FOR COURTHOUSE RE-ROOF – April 2, 2014

Proposals were solicited for contractors to re-roof a portion of the Courthouse Roof (Option #1) and/or the entire roof (Option #2). Proposals received were:

Great Falls Roofing & Painting

Option #1 \$35,980 (partial roof, EPDM material)

Option #2 \$96,350 (entire roof, same material)

Maddox Roofing

Option #1 \$ 97,540 (entire roof, EPDM roof assembly)

Option #2 \$102,962 (entire roof, modified build up)

Suggested alternatives for both options, involving adding insulation layers were included in the proposal at an additional cost of \$45,796.

Commissioner Hoppes moved and Commissioner Broesder seconded to take the proposals under advisement for time for further review. Motion carried.

Also attending: Buck Traxler, Editor of the Independent Observer, Ron Mammon of Great Falls Roofing, Rita Christiaens Ted Beck

REQUEST FOR QUALIFICATION – ENGINEERING SERVICES FOR COURTHOUSE BOILER – April 2, 2014

Requests for Qualifications were solicited for engineering services to repair or replace the courthouse HVAC system. Responses received were from Everson-Cordeiro Engineering and CTA Architects Engineers.

Commissioner Broesder moved and Commissioner Hoppes seconded to take the proposals under advisement for time for further review. Motion carried.

Also attending: Buck Traxler, Editor of the Independent Observer, Rita Christiaens Ted Beck

DISCUSSION OF FIRE DEBRIS CLEANUP IN DUPUYER - April 2, 2014

The commissioners and county attorney received a letter from Ted Beck dated March 28th, 2014 requesting copies of public records regarding the matter of the clean-up of the fire debris hazard. Beck and Rita Christiaens addressed the commissioners regarding the public nuisance statutes of Montana as well as the impact on Beck and Christiaens as citizens and business owners in Dupuyer. The owner of the property has not started cleanup and DEQ has given the owner an 60-day extension of time to do so, except that the debris that is on Beck's property is to be cleaned up within 15 days. Beck cited Montana statute on public nuisance by the owner of the property in Dupuyer. No resolution of the situation was reached during the meeting.

Also attending: Buck Traxler, Editor of the Independent Observer

SALE OF 2009 FORD CROWN VICTORIA – April 2, 2014

A public auction was conducted for the purpose of selling the 2009 Ford Crown Victoria which was declared surplus property by the commissioners. No bids were received and the vehicle was then offered to the public by sealed bid. One bid was received. Commissioner Hoppes moved and Commissioner Broesder seconded to accept the bid and the vehicle was sold to Jeff Pruttis for \$200.00.

Also attending: Buck Traxler, Editor of the Independent Observer

ENCROACHMENT AGREEMENT APPROVED – April 2, 2014

Commissioner Broesder moved and Commissioner Hoppes seconded to approve the Encroachment Agreement requested by Michael and Rori Miner to encroach upon the right-of-way at 810 Hoot Owl Road for the purpose of establishing a driveway using two 15" culverts. Motion carried.

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

REQUEST TO EXTEND TIME TO USE EXCESS VACATION APPROVED- April 2, 2014

State law allows a public employee to accumulate annual vacation leave totaling not more than two times the maximum number of days earned annually. Hours in excess of the two year allowable accrual are forfeited by the employee unless used by March 31st or an extension of time to use the excess is granted.

Clerk and Recorder Farkell requested approval of an extension of time for an employee of the office to use her excess annual leave hours due to part-time status. Commissioner Hoppes moved and Commissioner Broesder seconded to grant the request. Motion carried. Also attending: Buck Traxler, Editor of The Independent-Observer

REVISIONS TO ROADSIDE HAYING AGREEMENT APPROVED – April 2, 2014

Commissioner Hoppes moved and Commissioner Broesder seconded to approve adding “This permit is not transferrable and must be applied for each year. Permittee agrees to notify the Weed Department two weeks prior to anticipated start.” to the Roadside Haying Agreement. Motion carried. Also attending: Buck Traxler, Editor of The Independent-Observer

AMENDMENT TO EMERGENCY PREPAREDNESS GRANT APPROVED – April 2, 2014

Commissioner Hoppes moved and Commissioner Broesder seconded to approve the amendment to the Emergency Preparedness grant to accept compensation from DPHHS for the sum of \$2814.00 for participation in the statewide Big Sky Push Exercise to be completed in spring of 2014. Motion carried. Also attending: Buck Traxler, Editor of The Independent-Observer

AMENDMENT TO AUDITOR CONTRACT APPROVED – April 2, 2014

Commissioner Hoppes moved and Commissioner Broesder seconded to approve the amendment to the Auditor Contract for fiscal year 2012-13 through which the fee is reduced because the audit will not be a federal audit. Motion carried. Also attending: Buck Traxler, Editor of The Independent-Observer

SPONSORSHIP OF PORT AUTHORITY REMODELING GRANT APPROVED – April 2, 2014

Cheryl Curry, Director of the Pondera Regional Port Authority, informed the Commissioners of a non-competitive housing program designed to provide assistance to persons of low to moderate income to provide access to safe, decent, and affordable housing. The County would apply for the grant and Port Authority would administer it. Commissioner Hoppes moved and Commissioner Broesder seconded to approve sponsorship of the grant. Motion carried. Also attending: Buck Traxler, Editor of The Independent-Observer

APPROVED REQUEST TO USE COUNTY LOTS IN VALIER FOR SOCCER – April 9, 2014

Commissioner Broesder moved and Commissioner Hoppes seconded to approve, pending receipt of proof of insurance, the request of the AYSO Region 1622 (Valier) for use of the county-owned lots in Valier for the upcoming soccer season. The group will mow and keep the grounds clean. Motion carried. Also attending: Buck Traxler, Editor of the Independent Observer.

APPROVED REQUEST FOR FAMILY MEDICAL LEAVE – CAROL STRICKLAND – April 9, 2014

Commissioner Hoppes moved and Commissioner Broesder seconded to approve the Family Medical Leave Request of Carol Strickland. Motion carried. Also attending: Buck Traxler, Editor of The Independent-Observer.

APPROVED EXPENDITURE FOR HYDROLOGY TIME STUDY – April 9, 2014

Commissioner Broesder moved and Commissioner Hoppes seconded to approve the request of Road Supervisor, John Stokes, to expend \$2,006 for a hydrology time study on the culvert on Sunshine Road. The test is required by FEMA. Motion carried. Also attending: Buck Traxler, Editor of The Independent-Observer.

APPROVED CONTRACTOR FOR COURTHOUSE RE-ROOFING PROJECT – April 16, 2014

Commissioner Hoppes moved to accept the bid for re-roofing the courthouse roof from Great Falls Roofing in the amount of \$96,359, pending the contractor agrees to upgrade the materials warranty from 15 years to 20 years. Final payment will be made after a manufacturer's inspection. Commissioner Broesder seconded the motion. Motion carried.

Maddox Roofing also submitted a bid in the amount of \$97,540 with a 20 year warranty on materials.

Also attending: Ron Moon, Maintenance Supervisor, Kyle Harlan, Inspection Services; Ken Wheeler Sr, and Buck Traxler, Editor of the Independent Observer.

Commissioner Christiaens was absent.

REQUEST FOR QUALIFICATIONS FOR ENGINEERING SERVICES TO EVALUATE COURTHOUSE HVAC SYSTEM APPROVED – April 16, 2014

Commissioner Hoppes moved to approve the Request for Qualifications for engineering services to evaluate the HVAC system in the Courthouse and make recommendations for replacement and/or updating from Everson-Cordeiro Engineering. Commissioner Broesder seconded. Motion carried.

Also attending: Ron Moon, Maintenance Supervisor, Kyle Harlan, Inspection Services; Ken Wheeler Sr, and Buck Traxler, Editor of the Independent Observer.

Commissioner Christiaens was absent.

CENTER FOR MENTAL HEALTH DESIGNATED PROVIDER OF SERVICES FOR ALCOHOL REHABILITATION- April 16, 2014

Commissioner Hoppes moved to designate the Center For Mental Health as the County's provider of services for alcohol rehabilitation. The funding for these services are earmarked funds paid to the County by the State of Montana. Commissioner Broesder seconded. Motion carried.

Also attending: Ron Moon, Maintenance Supervisor, Kyle Harlan, Inspection Services; Ken Wheeler Sr, and Buck Traxler, Editor of the Independent Observer.

Commissioner Christiaens was absent.

RIGHT-OF-WAY FORAGE REMOVAL AGREEMENTS APPROVED – April 16, 2014

Commissioner Hoppes moved to approve the Right-Of-Way Forage Removal Agreements requested by Wylie Gustafson for the north and south sides of Price Road North, from 1 mile south of Sollid Road to Midway Road and for both sides of Furlough Road, from Sollid Road south to the Metz place. Commissioner Hoppes seconded. Motion carried.

Also attending: Ron Moon, Maintenance Supervisor, Kyle Harlan, Inspection Services; Ken Wheeler Sr, and Buck Traxler, Editor of the Independent Observer.

Commissioner Christiaens was absent.

INTERGOVERNMENTAL TRANSFER FOR PONDERA MEDICAL CENTER APPROVED – April 16, 2014

Commissioner Hoppes moved to approve participation in the State of Montana Intergovernmental Agreement for the Transfer of Monies to the State, Fiscal Year 2014. 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 \$750,329.58 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 \$531,197.87. 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: Ron Moon, Maintenance Supervisor, Kyle Harlan, Inspection Services; Ken Wheeler Sr, and Buck Traxler, Editor of the Independent Observer.

Commissioner Christiaens was absent.

DUPUYER FIRE DEBRIS – April 23, 2014

Ted Beck stated he is in negotiations to purchase the property adjoining his in Dupuyer. He also stated debris from the fire was not removed from his property within 15 day deadline from DEQ. Rita Christiaens stated Mr. Beck's development proposal for

Dupuyer is an opportunity for the county to benefit from an individual's efforts to invest in the area without the need for Port Authority or Sweetgrass Development funding and should be encouraged.

Also attending was Ted Beck, Rita Christiaens, and Buck, Editor of the Independent Observer

REQUEST FOR ABANDONMENT OF ALLEY IN DUPUYER AND AN EASEMENT ACROSS MORTON AVENUE IN DUPUYER – April 23, 2014

Theodore P. Beck, of Billips Properties, LLC, presented the commissioners with a written request that the County abandon (close) the alley that is located just east of his property, running north and south and bisecting Block 14 of the townsite of Dupuyer, MT. He stated that the alleyway has never been used for its intended purpose and currently has structures built over the alley and other various personal properties located in the alleyway or under the alleyway.

Mr. Beck was advised that state law requires a petition signed by the landowners on both sides of the alley be submitted to the commissioners before the matter can be considered. The commissioners would also seek the advice of the county attorney.

In addition and in the event Billips Properties, LLC purchases the property adjacent to his, he requested an easement across Morton Avenue to the well that is located at the southeast corner of Morton Avenue and Montana Street. The request further states that, in addition and in combination with the easement, the use thereof be granted to Billips Properties, LLC or in the alternative be leased to BP, LLC, for an amount to be determined by the county.

The commissioners will consider this request after receiving the petition from Mr. Beck and after visiting with the County Attorney.

Also attending was Ted Beck, Rita Christiaens, and Buck, Editor of the Independent Observer

RESOLUTION AUTHORIZING BUDGET AMENDMENTS TO PONDERA COUNTY BUDGET – ADOPTED – April 23, 2014

PONDERA COUNTY MONTANA
RESOLUTION #41 - 2013/14
AUTHORIZING BUDGET AMENDMENTS TO
PONDERA COUNTY BUDGET

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 Pondera County Commissioners approved the appropriations budget for the Pondera County during its regular budget approval process and errors in revenues and expenditures budget have been identified; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County

Commissioners of Pondera County that the budget be corrected as follows:

Expenditure	Description	Prior Amount	New Amount
1000-1-410331-110	Salaries and Wages	\$83,393	\$85,623
1000-1-410331-140	Payroll Benefits	\$ 6,425	\$ 6,605
Expenditure	Description	Prior Amount	New Amount
1000-1-410951-210	Supplies & Materials	\$5,000	\$2,590

Adopted this 23rd day of April, 2014 as moved by Commissioner Broesder, seconded by Commissioner Hoppes and passed on a 3-0 vote of the 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/ Kody L Farkell
Kody L Farkell, Clerk and Recorder

/s/ Janice Hoppes
Janice Hoppes, Member

MINUTES APPROVED – April 23, 2014

Commissioner Broesder moved to approve the official Minutes of the Commission for March 2014. Commissioner Hoppes seconded. Motion carried. Also attending was Buck Traxler, Editor of The Independent Observer

REQUEST FOR TENTATIVE APPROVAL OF TAX ABATEMENT – April 23, 2014

A letter was received from United Grain Corporation requesting that Commissioners tentatively approve a property tax abatement if United Grain decides to expand the facility in Conrad. United Grain is deciding on a location to build additional facilities for one million bushel storage at a construction cost of \$3.5 million to \$5 million.

Commissioner Broesder moved to tentatively approve a property tax abatement for United Grain, should they decide to expand their Conrad facility. Commissioner Hoppes seconded. Motion carried.

Also attending was Buck Traxler, Editor of The Independent Observer

REQUEST FOR PONDERA COUNTY FAA AIRPORT FUNDS BY CITY OF CUT BANK – April 23, 2014

The Commissioners were contacted by Robert Peccia & Associates, Project Manager for the Cut Bank Airport project, requesting a gift of FAA entitlement money to the project at the Cut Bank Airport. The City of Cut Bank recently bid a large runway and taxiway reconstruction project.

Pondera County currently has FAA entitlement money that is at a “use it or lose it” point. The money can be transferred to another airport for their use. Commissioners determined that, even without this \$250,000, Pondera County will still have enough funds to complete any work needed at the airport in Conrad. Commissioner Hoppes moved to give the City of Cut Bank \$250,000 of the County’s “use it or lose it” FAA entitlement funds for their use. Commissioner Broesder seconded. Motion carried.

Also attending was Buck Traxler, Editor of The Independent Observer

DISCUSSION REGARDING TRAFFIC TO UNITED GRAIN ELEVATOR – April 30, 2014

Joan Walston approached Commissioners about trucks delivering to United Grain using Manta Road rather than the state highway access. She said that the dust has become increasingly bad since the elevator has been in operation. There is also a concern about the speed at which the trucks drive down the road. Mrs. Walston inquired about the county placing a sign, or having United Grain place a sign, directing them where to turn. She also asked about a reduced speed limit in that area. County Road Supervisor John Stokes said the state would have to be the ones to allow a sign to be placed or a change in speed limit to be implemented. Sheriff Tom Kuka has had similar complaints in that area and deputies have issued speeding tickets to those in violation. He volunteered to contact United Grain and ask about the elevator directing traffic away from the Manta Road access.

Also attending was Joan Walston, John Stokes, County Road Supervisor, Sheriff Tom Kuka, and Buck Traxler, Editor of The Independent Observer

TREASURER’S SECURITIES – April 30, 2014

April 28, 2014

Pondera County Commissioners
20 4th Ave SW
Conrad, MT 59425

Dear Commissioners,

The following are the investments as of March 31, 2014

STIP \$2338.05 @ .1157429%

STOCKMAN BANK BALANCES \$10,078,484.46

April 2014

STOCKMAN BANK –Collateral Report

3135G0AL7 \$6,895,000.00 FHLB 2000746 2.25% Matures 03/15/16
 313381YP4 \$6,000,000.00 FHLB 2000687 .25% Matures 02/20/15

RBC WEALTH

313383HN4 450,000.00 1.000% Due 06/27/2018 (step up)
 3134G3US7 180,000.00 1.100% Due 05/22/2017
 02587DTY4 200,000.00 2.100% Due 09/26/2018 (CD)
 3130A0PL8 500,000.00 1% Due 01/28/2019 (step up)

RAYMOND JAMES

795450QY4 \$250,000.00 1.3000% Due 10/31/2016 (CD)
 3130A0ZV5 \$300,000.00 1.5000% Due 03/20/2019 (step up)
 3130A0KY5 \$200,000.00 1.5000% Due 01/22/2018
 05573JVV3 \$250,000.00 1.000% Due 02/25/2019 (step up)

Jeanne Moon, Treasurer

RIGHT-OF-WAY FORAGE REMOVAL AGREEMENT APPROVED – April 30, 2014

Commissioner Broesder moved to approve the Right-Of-Way Forage Removal Agreement requested by Darlene Denney for the north and south sides of Pondera Coulee Road between Price Road and Moulton School Road. Commissioner Hoppes seconded. Motion carried.

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

RIGHT-OF-WAY FORAGE REMOVAL AGREEMENT APPROVED – April 30, 2014

Commissioner Broesder moved to approve the Right-Of-Way Forage Removal Agreement requested by Raymond Moritz and Kevin Moritz for the north and south sides of Old Shelby Road; north and south sides of Hovde Road; east and west sides of Primrose Road; north and south sides of Pondera Coulee Road; and east and west sides of Kelly Road. Commissioner Hoppes seconded. Motion carried.

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

APPROVAL OF HEALTH DEPARTMENT ADMINISTRATIVE SPECIALIST JOB DESCRIPTION — April 30, 2014

Commissioners reviewed the job description for an Administrative Specialist for the Health Department.

Commissioner Hoppes moved to approve the job description for the Health Department's Administrative Specialist position. Commissioner Broesder seconded. Motion carried.

RESIGNATION OF SHERIFF DEPUTY, ANDRE HARRIS – April 30, 2015

Commissioner Hoppes moved to accept the resignation of Sheriff Deputy, Andre Harris, effective immediately. Commissioner Broesder seconded. Motion carried.

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

CONTRACT FOR EVALUATION AND RECOMMENDATION APPROVED – April 30, 2014

Commissioner Hoppes moved to accept Everson-Cordeiro Engineering's bid of \$2,600 for evaluation and recommendation of replacement of the courthouse boiler system. Commissioner Broesder seconded. Motion carried.

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

RESOLUTION AUTHORIZING BUDGET AMENDMENTS – MONTANA CRIME CONTROL – April 30, 2014

PONDERA COUNTY MONTANA

RESOLUTION #42 – 2013/14

AUTHORIZING BUDGET AMENDMENTS – MONTANA CRIME CONTROL JAG GRANT

WHEREAS the Montana Code Annotated, Section 7-6-4006, grants the Board of

April 2014

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 Board of Crime Control has notified Pondera County of grant funds for calendar year 2014 totaling \$5,396 for the JAG Edward Byrne Memorial Justice Assistance Grant to purchase six tasers for the Sheriff Department, and the Board of Crime Control 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 30, 2014 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 2872, MCC – Taser Purchase Grant, be added to show the receipt and expenditures, as follows:

Revenue	Description	Prior Amount	New Amount
2872-334001	MCC Grant - Tasers	\$0	\$5,396
2300-201-52101-820	County Match	\$0	\$600

Expenditure	Description	Prior Amount	New Amount
2872-201-420002-219	MCC Grant – Tasers	\$0	\$5,996

Adopted this 30th day of April, 2014 as moved by Commissioner Broesder, seconded by Commissioner Hoppes, and passed on a 3-0 vote of the full board. Effective upon 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/ Kody L Farkell
Kody L Farkell, Clerk and Recorder

/s/ Janice Hoppes
Janice Hoppes, Member

<u>FUND</u>	TOTALS
GENERAL	\$ 26,554.62
ROAD	11,829.15
BRIDGE	3,308.02
WEED	1,432.48
COUNTY FAIR	157.67
PREDATORY ANIMAL	0.00
AIRPORT	3,752.41
AMBULANCE	4,671.82
COMPREHENSIVE INSURANCE	-0.17
COUNTY HOSPITAL & NURSING HOME	0.00
SENIOR CITIZENS	0.00
DEBT SERVICES HOSPITAL 95	0.00
LIBRARY	0.00
EXTENSION SERVICE	4,881.72
PUBLIC SAFETY (LAW ENFORCEMENT)	5,472.29
HEALTH INSURANCE - EMPLOYER CONTRIBUTION	699.63
RECORDS PRESERVATION	128.58
BRADY LIGHTS MAINTENANCE	328.96
NORTHERN TRANSIT INTERLOCAL	555.12
DUI PREVENTION	20.00
GAS APPORTIONMENT TAX	16,091.21
EMERGENCY DISASTER	0.00
911 EMERGENCY	21,276.83

PUBLIC SAFETY CAPITAL IMPROVEMENTS	750.00
LAND USE PLANNING	100.00
STATE ALLOCATED FEDERAL MINERAL	0.00
BUCKLE UP MT	506.05
VICTIM & WITNESS ADVOCATE	348.50
EMERGENCY PREPAREDNESS GRANT	669.18
BREAST & CERVICAL SCREENING	93.60
WIC GRANT	136.57
MATERNAL CHILD HEALTH	190.48
IMMUNIZATION ACTION PROGRAM	348.50
TOBACCO USE PREVENTION GRANT	476.17
NAPA GRANT	109.37
HEALTHY CHILD (LEAD POISONING) GRANT	19.60
IMMUNIZATION BILLING GRANT	480.93
JUNK VEHICLE GRANT	0.00
NOXIOUS WEED GRANTS	0.00
ROAD/BRIDGE EQUIP PURCHASE	0.00
GENERAL FUND CAPITAL IMPROVEMENT	48,175.00
REFUND FUND	<u>1,087.58</u>
TOTAL CLAIMS	\$ <u>154,651.87</u>
TOTAL PAYROLL	<u>207,412.98</u>
TOTAL CLAIMS AND PAYROLL FUNDS	<u><u>362,064.85</u></u>

ADJOURNMENT

The meeting adjourned at 5:00 p.m. on April 30, 2014. Pondera County, Montana

Joseph Christiaens, Chairman

ATTEST:

Kody Farkell, Clerk & Recorder