

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

The Board of Pondera County Commissioners met daily in informal session and in scheduled meetings on February 5, 19, and 26, 2014. Unless indicated, all Commissioners were present.

**RESOLUTION DECLARING PROPERTY SURPLUS AND SETTING SALE –
ADOPTED** – February 5, 2014

PONDERA COUNTY
RESOLUTION #34 – 2013-14
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:

One (1) 2009 Ford Crown Victoria-V8 minimum market value: \$4,425

and

WHEREAS, the Commissioners have determined it is in the best interests of the County to sell the item 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, at a public auction on the front steps of the County Courthouse at 10:00 a.m., Wednesday, February , 2014.

ADOPTED this 5th day of February, 2014, as moved by Commissioner Hoppes, seconded by Commissioner Broesder, and passed on 3-0vote 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/ Janice Hoppes
Janice Hoppes, Member

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

**RESOLUTION DELARING PROPERTY SURPLUS AND SETTING SALE –
ADOPTED-** February 5, 2014

PONDERA COUNTY
RESOLUTION #35 – 2013/14
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:

Minolta CSPro Model EP4000 copier Value: \$ 0.00

WHEREAS, the Commissioners have determined it is in the best interests of the County to sell the item at public sale by sealed bid, said bids to be opened on February 26, 2014, at 10:15 a.m., at the Commissioners' Office, Pondera County Courthouse, 20 Fourth Ave SW, Conrad, Montana; and

WHEREAS, Section 7-8-2217(2), MCA, requires that if the property is sold at public sale, notice must be given as 7-1-2121, MCA, i.e., published twice, with at least 6 days separating each publication.

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

- 3) 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,
- 4) sets the date for the sale, by public auction by sealed bid, to be February 26, 2014 at 10:15 a.m. at the Commissioners' Office, Pondera County Courthouse, 20 Fourth Ave SW, Conrad, Montana; and
- 5) directs that the County Clerk shall comply with the notice requirements of Section 7-1-2121, MCA, by publishing notice of sale in The Independent-Observer and The Valerian two times, with at least 6 days separating each publication i.e., February 12 and 19, 2014.

ADOPTED this 5th day of February, 2014, as moved by Commissioner Broesder, seconded by Commissioner Hoppes, 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

REQUEST TO APPLY FOR INTERCAP LOAN FOR PONDERA MEDICAL CENTER APPROVED- February 5, 2014

Pondera Medical Center has discussed consolidating debts for capital improvements, which currently total approximately \$450,000, in an effort to acquire a lower interest rate. The PMC Board of Directors has inquired about the county applying for a MT Board of Investments INTERCAP loan. No tax payer dollars would be used to repay the loan, the county would simply be a sponsoring agency for the loan.

Commissioner Broesder moved that, in the event it was requested by PMC, the county agree to apply for a MT Board of Investments INTERCAP loans for Pondera Medical for debt consolidation, pending verification of the loan amount and terms. Commissioner Hoppes seconded. Motion carried.

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

PONDERA REGIONAL PORT AUTHORITY REPORT – February 5, 2014

Port Authority Board Member, Cynthia Johnson, was present to give an update on the Pondera Regional Port Authority activities.

Currently, the port Authority has 15 active loans out, all but two are current on their payments. The Port Authority has written off uncollectible loans. Under the advisement of their auditor, the Port Authority and Economic Development Council are working on separating their financial records.

The Neighborhood Stability Program has commenced a new project on Maryland Street in Conrad. All three of the prior homes have been sold.

Overall, the Port Authority has over \$1 million in assets.

Also attending: Cynthia Johnson and Buck Traxler, Editor of The Independent Observer.

REQUEST FOR QUALIFICATIONS – ENGINEERING SERVICES – February 19, 2014

A Request For Qualifications for engineering services for boiler system repair or replacement was published in the Great Falls Tribune February 4 and 11, 2014 with a

deadline of February 19, 2014. No responses were received. The Commissioners will pursue further action.

REQUEST FOR PROPOSALS – COURTHOUSE ROOF – February 19, 2014

A Request For Proposals for re-roofing of the Pondera County Courthouse was published in the Great Falls Tribune February 4 and 11, 2014 with a deadline of February 19, 2014. No responses were received. The Commissioners will pursue further action.

APPOINT VOTING REPRESENTATIVE FOR 3 RIVERS ANNUAL MEETING – February 19, 2014

Commissioners agreed to appoint Commissioner Christiaens as voting representative for the 3 Rivers annual meeting on March 17 in Fairfield.

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

RESOLUTION DECLARING SURPLUS AND DISPOSAL – ADOPTED – February 19, 2014

PONDERA COUNTY
RESOLUTION #36 – 2013/14
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:

- Six (6) Gateway monitors
- One (1) HP monitor
- One (1) Canon DR-3080 II scanner
- Four (4) HP Laser Jet printers
- Five (5) Gateway computers
- One (1) Jathco Noblis computer
- One (1) Dell computer
- Two (2) miscellaneous computers
- One (1) Gateway keyboard
- One (1) Dell Edge server

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.

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

- 6) 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,
- 7) agrees to dispose of the property

ADOPTED this 19th day of February, 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/ Janice Hoppes
Janice Hoppes, Member

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

FINAL PLAT APPROVAL FOR THE SUNRISE MINOR SUBDIVISION- February 19, 2014

Commissioner Hoppes moved to give final approval to the Sunrise Properties Minor Subdivision which was given preliminary approval by the commission on October 16, 2013. The additional information, the certificate of a title abstractor and Landowner Certification, has been received by the County Clerk and Recorder. Commissioner Broesder seconded. Motion carried.

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

MINUTES APPROVED – February 19, 2014

Commissioner Hoppes moved to approve the official Minutes of the Commission for January 2014. Commissioner Broesder seconded. Motion carried.

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

TAX CANCELLATION APPROVED – February 19, 2014

Commissioner Broesder moved to approve tax cancellation 951. Commissioner Hoppes seconded. Motion carried.

Also attending was Buck Traxler, Editor of the Independent

NUMBER	REASON	CANCEL	ADD-ON	PARCEL #
951	Was billed under wrong parcel # in 2012	\$235.32		1700

REQUEST FOR ABATEMENT DENIED – February 19, 2014

The commissioners received a request for abatement of street light assessments on Lots 1, 2 and 3, Block 20 in Brady (tax payer #371500). Amanda Lesnik of the State of Montana Department of Revenue office met with the commissioners and reviewed the findings of their office. There was an administrative error resulting in the lighting assessment being placed on the parcel when, in fact, the assessment should have been on parcel #371700. The error will be corrected in their office and the assessment will be on the correct parcel moving forward. Since the property in both parcels is owned by the same individual, no abatement is necessary.

PUBLIC AUCTION – 2009 FORD CROWN VICTORIA – February 26, 2014

A public auction was conducted to sell to the public a 2009 Ford Crown Victoria at the minimum bid of \$4,425. The auction was advertised for two weeks in the Independent Observer and Valierian. There was one interested party in attendance but no bids were received. The vehicle can now be sold by the county via sealed bid or best offer negotiations.

SEALED BID SALE – COPIER – February 26, 2014

Sealed bids were solicited for a Minolta CPro Model EP4000 copier having surplus property value of zero. The solicitation was advertised for two weeks in the Independent Observer and The Valierian. At one time there was an interested party but no bids were received. The copier will be disposed of via electronic recycling.

DISCUSSION REGARDING CLEAN-UP OF PIERRE'S BAR AND GRILL FIRE – February 26, 2014

County Sanitarian Corrine Rose spoke on the events since a fire destroyed Pierre's Bar and Grill in Dupuyer on December 26, 2013. On January 21, 2014 Dupuyer residents met with Commissioners regarding safety and health concerns as a result of the fire debris. On January 24 Corrine Rose, County Commissioners, County Attorney Mary Ann Ries, and DES Coordinator LeAnne Hermance met to discuss the issue. As a result of the meeting, Corrine Rose issued a letter to the property owner giving them 10 business days to hire a certified asbestos inspector and begin the cleanup process. Boggs responded asking for an extension, enough time for a friend to become a certified inspector.

On February 20 County Commissioners, Sanitarian Corrine Rose, and Attorney Mary Ann Ries met again and spoke via phone with Chris Tinsley, certified asbestos inspector. He met with them at the fire site on February 22. Mr. Tinsley stated that due

to the fire, it would not be possible to test for asbestos and recommended all debris be treated as asbestos.

Sherri Boggs, Manager of Pierre's Bar and Grill, stated she would like to get a second opinion on testing the material for asbestos. It was decided to notify the owner of an extension to Monday, March 3 to hire a second inspector. The Commissioners meet again on March 5 and will address the issue again.

Also attending was County Sanitarian Corrine Rose, Ron Jones, Joyce Jones, Sherri Boggs, Ken Wheeler Sr, and Buck Traxler, Editor of the Independent.

TAX CANCELLATION APPROVED – February 26, 2014

Commissioner Hoppes moved to approve tax cancellation 952. Commissioner Broesder seconded. Motion carried.

Also attending was County Sanitarian Corrine Rose, Ron Jones, Joyce Jones, Sherri Boggs, Ken Wheeler Sr, and Buck Traxler, Editor of the Independent.

NUMBER	REASON	CANCEL	ADD-ON	PARCEL #
952	Did not receive 2013 property reporting form	\$369.43		1015800

TAX CANCELLATION APPROVED – February 26, 2014

Commissioner Hoppes moved to approve tax cancellation 953. Commissioner Broesder seconded. Motion carried.

Also attending was County Sanitarian Corrine Rose, Ron Jones, Joyce Jones, Sherri Boggs, Ken Wheeler Sr, and Buck Traxler, Editor of the Independent.

NUMBER	REASON	CANCEL	ADD-ON	PARCEL #
953	Overcharged for Brady lights	\$124.76		371500

RESOLUTION ORDERING CANCELLATION OF PERSONAL PROPERTY TAXES FIVE YEARS DELINQUENT – ADOPTED – February 26, 2014
 PONDERA COUNTY MONTANA
 RESOLUTION #37 – 2013/14
ORDERING CANCELLATION OF PERSONAL PROPERTY TAXES FIVE YEARS DELINQUENT

WHEREAS Section 15-16-702, Montana Code Annotated, directs the Board of County Commissioners to examine the list of personal property taxes five years delinquent and within 30 days thereafter, make its order canceling all such personal property taxes and contractual obligations contained in the list provided by the County Treasurer; and

WHEREAS the Board of County Commissioners received the list from the County Treasurer and has examined the same;

NOW, THEREFORE, BE IT RESOLVED that, by order of the Board of County Commissioners of Pondera County, the personal property taxes five (or more) years delinquent, as compiled in the list provided by the County Treasurer, be and are hereby canceled; and

BE IT FURTHER RESOLVED that, pursuant to Section 15-16-702, MCA, the Treasurer of Pondera County shall file one copy of the list as permanent record and the Clerk and Recorder of Pondera County shall file one copy of the list as public record; and

BE IT FURTHER RESOLVED that, pursuant to Section 15-16-803, MCA, the County Clerk and Recorder and County Treasurer are directed to adjust their taxes-receivable accounts to conform to this order of cancellation and the list.

Adopted this 26th day of February, 2014 as moved by Commissioner Broesder, seconded by Commissioner Hoppes. and passed on a unanimous 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/ Kody L. Farkell
Kody L. Farkell, Clerk & Recorder

/s/ Janice Hoppes
Janice Hoppes, Member

AIRPORT ALLOCATION REQUEST GRANTED – February 26, 2014

The Commissioners were contacted by Robert Peccia & Associates who requested that Pondera County loan up to \$400,000 of it's Federal Aviation Administration fund to Park County to be used at the Livingston Airport. The allocation transfer is, in reality, a loan of Pondera County's allocation to Park County, to be repaid by Park County. The allocation transfer is a fairly common circumstance to allow airport rehabilitation projects to get underway in an expedited manner. The allocation by the FAA is made to each county in Montana annually for use in projects and or major maintenance.

Commissioner Broesder moved to loan Pondera County's FAA allocation, up to \$400,000, to Park County for the Livingston Airport. Commissioner Hoppes seconded. Motion carried.

Also attending was County Sanitarian Corrine Rose, Ron Jones, Joyce Jones, Sherri Boggs, Ken Wheeler Sr, and Buck Traxler, Editor of the Independent.

LETTER OF AGREEMENT WITH TOOLE COUNTY FOR NORTHERN TRANSIT – February 26, 2014

Commissioner Hoppes moved and Commissioner Broesder seconded to sign a letter of agreement with Toole County stating Pondera County, on behalf of the Pondera County Transit, will contribute \$5,000 in 2014-15 for operations of Northern Transit Interlocal program. Motion carried.

Also attending was County Sanitarian Corrine Rose, Ron Jones, Joyce Jones, Sherri Boggs, Ken Wheeler Sr, and Buck Traxler, Editor of the Independent.

MEMORANDUM OF UNDERSTANDING WITH TOOLE COUNTY FOR NORTHERN TRANSIT – February 26, 2013

Commissioner Hoppes moved and Commissioner Broesder seconded to sign a Memorandum of Understanding with Toole County, effective July 1, 2014, stating that Toole County will act as Lead Agency for the Northern Transit Interlocal system.

Also attending was County Sanitarian Corrine Rose, Ron Jones, Joyce Jones, Sherri Boggs, Ken Wheeler Sr, and Buck Traxler, Editor of the Independent.

PURCHASE OF TWO QUICK SWEEP ANGLE BROOMS-APPROVED- February 26, 2014

County Road Supervisor John Stokes received a quote of \$8,564 for two 84" Quick Sweep Angle Brooms from Attachment Direct. The cost to purchase the brooms is comparable to the cost to rent them for two years. Commissioner Hoppes moved to approve the purchase. Commissioner Hoppes seconded. Motion carried.

Also attending was County Sanitarian Corrine Rose, Ron Jones, Joyce Jones, Sherri Boggs, Ken Wheeler Sr, and Buck Traxler, Editor of the Independent.

RENEWAL OF COUNTY PROPERTY AND CASUALTY INSURANCE THROUGH JPIA – February 26, 2014

Commissioner Broesder moved to renew the county's property and casualty insurance for 2014-15 with Joint Powers Insurance Authority (JPIA). The new contract reflected no changes from the 2013-14 policy. Commissioner Hoppes seconded. Motion carried.

Also attending was County Sanitarian Corrine Rose, Ron Jones, Joyce Jones, Sherri Boggs, Ken Wheeler Sr, and Buck Traxler, Editor of the Independent.

CLAIMS APPROVED FOR PAYMENT – February 28, 2014

<i>FUND</i>	<i>AMOUNT</i>
GENERAL	\$ 18,793.44
ROAD	41,213.06
BRIDGE	13,638.85
WEED	863.97
AIRPORT	7,468.74
COMPREHENSIVE INSURANCE	0.00
AMBULANCE	185.67

COUNTY HOSPITAL & NURSING HOME	0.00
EXTENSION SERVICE	2,573.26
PUBLIC SAFETY (LAW ENFORCEMENT)	14,816.58
HEALTH INSURANCE - EMPLOYER CONTRIBUTION	699.63
RECORDS PRESERVATION	50.00
BRADY LIGHTS MAINTENANCE	329.25
911 EMERGENCY	4,350.67
LAND USE PLANNING	1,058.06
NORTHERN TRANSIT INTERLOCAL	2,676.76
VICTIM & WITNESS ADVOCATE	0.00
BUCKLE UP MT	291.20
EMERGENCY PREPAREDNESS GRANT	5,946.71
HEALTHY CHILD (LEAD POISONING) GRANT	390.67
BREAST & CERVICAL SCREENING	83.53
IMMUNIZATION BILLING GRANT	162.93
WIC GRANT	211.09
MATERNAL CHILD HEALTH	74.95
IMMUNIZATION ACTION PROGRAM	13.92
TOBACCO USE PREVENTION GRANT	1,262.25
NAPA GRANT	863.92
HOSPITAL DEBT SERVICE 95	0.00
PUBLIC SAFETY CAP IMPROV	1,745.49
REFUND FUND	383.13
JUNK VEHICLE GRANT	0.00
GENERAL FUND CAPITAL IMPROV	39,642.00
ROAD/BRIDGE EQUIP PURCHASE	0.00
TOTAL CLAIMS	\$ 159,789.73
TOTAL PAYROLL	<u>208,571.59</u>
TOTAL CLAIMS AND PAYROLL FUNDS	<u><u>368,361.32</u></u>

ADJOURNMENT

The meeting adjourned at 5:00 p.m. on February 28, 2014. Pondera County, Montana

Joseph Christiaens, Chairman

ATTEST:

Kody Farkell, Clerk & Recorder