

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

The Board of Pondera County Commissioners met daily in informal session and in scheduled meetings on June 4, 11, 18 and 25, 2014. Unless indicated, all Commissioners were present.

9-1-1 STATEMENT OF WORK FOR UPGRADES APPROVED – June 4, 2014

Undersheriff, Jeff Pruttis, met with the commissioners to explain the needed updates to the 9-1-1 call taking system and the proposal of Third Signal LLC of Missoula, MT to evaluate our system and suggest upgrades at the cost of \$4,000.00. Commissioner Hoppes moved to accept the proposal of Third Signal LLC in the amount of \$4,000 for 9-1-1 Call Taking Equipment Upgrade, Technical and Operational Requirements Development for New System Acquisition. Commissioner Christiaens seconded. Motion carried. (Commissioner Broesder absent on County business) Also attending Buck Traxler, Editor of the Independent Observer

INTERGOVERNMENTAL AGREEMENT FOR THE TRANSFER OF MONIES TO THE STATE – NURSING HOME IGT AGREEMENT – APPROVED – June 4, 2014

Commissioner Hoppes moved to approve the Intergovernmental Agreement for the transfer of Monies to the State as match money for the Medicaid monies for “at risk” county affiliated nursing facilities. Commissioner Christiaens seconded. Motion carried. (Commissioner Broesder absent on County business) Also attending Buck Traxler, Editor of the Independent Observer

ENCROACHMENT AGREEMENT APPROVED – June 4, 2014

Commissioner Hoppes moved to approve, pending signature of Jacob Johnson, the Encroachment Agreement on Frances Heights Road for an approach with 15” culvert on the east side of Frances Heights Road, 400’ north of the section corner. Commissioner Christiaens seconded. Motion carried. (Commissioner Broesder absent on County business) Also attending Buck Traxler, Editor of the Independent Observer

DATE, TIME AND PLACE SET FOR THE HEARING ON THE PETITION TO ABANDON THE ALLEY IN BLOCK 14, DUPUYER TOWNSITE – June 4, 2014

A Petition To Abandon The Alley in Block 14 of the Dupuyer Townsite, signed by at least ten landowners in the County has been received by the Commissioners. Commissioner Hoppes moved to set June 25th at 10:00 a.m. in the Commissioner’s office for the public hearing on the petition. Commissioner Christiaens seconded; motion carried. (Commissioner Broesder absent on County business) Also attending Buck Traxler, Editor of the Independent Observer

APPOINTMENT OF THE POST ELECTION AUDIT COMMITTEE - June 4, 2014

Commissioner Hoppes moved to appoint Stephanie Keil-Harris, Georgia Snortland and Cheryl Curry as the Post Election Audit Committee for the federal elections in 2014. Commissioner Christiaens seconded. Motion carried. (Commissioner Broesder absent on County business) Also attending Buck Traxler, Editor of the Independent Observer

RESOLUTION AUTHORIZING BUDGET AMENDMENTS TO COUNTY HOSPITAL AND NURSING HOME BUDGET – ADOPTED – June 4, 2014

**PONDERA COUNTY MONTANA
RESOLUTION # 47 - 2013/14**

**AUTHORIZING BUDGET AMENDMENTS TO
COUNTY HOSPITAL AND NURSING HOME BUDGET**

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

WHEREAS the State of Montana Department of Public Health and Human

Services has notified Pondera County of the 2014 “at risk” nursing home Medicaid payment and Pondera County was granted a Department of Commerce InterCap Loan for the benefit of the Pondera Medical Center Commissioners; and

WHEREAS the Pondera County Commissioners conducted a hearing at their regularly scheduled meeting on May 27, 2014 and accepted the InterCap Loan in the amount of \$622,578.00; and

WHEREAS the Pondera County Commissioners conducted a hearing at their regularly scheduled on June 4, 2014 and approved the intergovernmental transfer for “at risk” nursing home Medicaid payment in the amount of \$567,005.84.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pondera County that the budget be corrected as follows:

InterCap Loan

Revenue	Description	Prior Amount	New Amount
2235-381070	Loan Proceeds	\$ 0	\$622,578

Expenditure	Description	Prior Amount	New Amount
2235-402-440210-946	Medical Equipment	\$ 50,132	\$672,710

Intergovernmental Transfer

Revenue	Description	Prior Amount	New Amount
2235-362025	Unanticipated Reimb	\$540,000	\$567,005

Expenditure	Description	Prior Amount	New Amount
2235-402-440210-351	Medical & Dental Services	\$448,372	\$567,005

Adopted this 4th day of June, 2014 as moved by Commissioner Hoppes, seconded by Commissioner Christiaens, and passed on a 2-0 vote of the board. Effective on passage and approval.

BOARD OF COUNTY COMMISSIONERS

Pondera County, Montana

s/s Joseph Christiaens
Joseph Christiaens, Chairman

Absent
Sandra J. Broesder, Member

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

/s/ Janice Hoppes
Janice Hoppes, Member

NO MEETING WAS HELD ON JUNE 11, 2014 AS A QUARUM OF COMMISSIONERS WAS NOT PRESENT.

COUNTY COMPENSATION BOARD WORK MEETING CONDUCTED – June 11, 2014

Attending: Commissioners Christiaens, Broesder and Hoppes, Clerk and Recorder Kody Farkell, Sheriff Tom Kuka, Treasurer Jeanne Moon, and citizen members, Dan Majerus and John McFarland.

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.

The cost-of-living adjustment (COLA) for governments has been set at 1.5% for fiscal year 2014-15.

The Clerk and Recorder requested the additional compensation allowed for her position.

Majerus moved to recommend a 1.5% increase in the elected official salary as well as a 0.99% raise; equating to a \$0.50/hour increase for hourly employees, McFarland Moon seconded. Motion carried.

Hoppes moved recommend payment of \$2,000 to the Clerk and Recorder as allowed in Montana statute. Broesder seconded. Motion carried.

the north side of Coalmine Road, 0.6 miles west of Hawkeye Road. Commissioner Hoppes seconded. Motion carried.

HAYING AGREEMENT DENIED– June 18, 2014

Commissioner Hoppes moved to deny the right-of-way forage removal agreement requested for Trunk Butte Road by Randy Nicklaus based last year's growth, and the potential of growth this year, of perennial pepperweed. Commissioner Broesder seconded. Motion carried.

AGREEMENT WITH MORRISON-MAIERLE SYSTEMS FOR WEBSITE DEVELOPMENT APPROVED – June 18, 2014

The program currently used to update and maintain the county website is no longer a support program. Therefore, the county needs to update to a supported program. Morrison-Maierle Systems provided a proposal to Commissioners for website development using WordPress Content Management. Total cost for website development is \$525.

Commissioner Hoppes moved to enter into agreement with Morrison-Maierle Systems for website development, in the amount of \$525, to be paid from Emergency Preparedness grant funds. Commissioner Broesder seconded. Motion carried.

DUI TASK FORCE PLAN APPROVED – June 18, 2014

Commissioner Broesder moved to approve the fiscal year 2014-15 DUI Task Force plan. Commissioner Hoppes seconded. Motion carried.

DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES TASK ORDER FOR MATERNAL AND CHILD HEALTH BLOCK GRANT PROGRAM (MCH) APPROVED – June 18, 2014

Commissioner Hoppes moved to approve Task Order 15-07-5-01-037-0 to the Master Contract for the Maternal and Child Health Block Grant Program Grant (MCH). The County will receive \$6,175 for federal fiscal year 2014-15 Commissioner Broesder seconded. Motion carried.

DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES EMERGENCY PREPAREDNESS TASK ORDER APPROVED – June 18, 2014

Commissioner Broesder moved to approve the Task Order 15-07-6-11-038-0 for the Public Health Emergency Preparedness Grant. The County will receive \$28,143.00 for federal fiscal year 2014-15 for emergency public health preparedness activities. Commissioner Broesder seconded. Motion carried.

DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES TASK ORDER FOR OFFICE OF PUBLIC HEALTH SYSTEMS PERFORMANCE IMPROVEMENT APPROVED – June 18, 2014

Commissioner Broesder moved to approve Task Order 14-07-1-106-0 to the Master Contract for the office of public health systems performance improvement. The County will receive \$25,000 for federal fiscal year 2014-15. Commissioner Hoppes seconded. Motion carried.

PUBLIC HEARING CONDUCTED ON ALLEY ABANDONMENT IN DUPUYER – June 25, 2014

Attending: Commissioners Broesder, Hoppes, and Christiaens, Clerk and Recorder Farkell, County Sanitarian Corrine Rose, Robert & Ali Newkirk, Rita Christiaens, Dennis & Nancy Williams, Lloyd & Shelly Walker, and Buck Traxler, Editor of the Independent Observer.

The notice of the hearing was published in The Independent-Observer and The Valerian in the June 11 and 18, 2014 issues.

Commissioner Christiaens called the hearing to order at 10:00 a.m. at the Pondera County Courthouse. Christiaens stated the intent of the hearing is to hear public input and make a determination as to abandoning an alley in Dupuyer. A petition was received requesting the alley described as Lots 5-7 and the north 3 feet of Lot 8 and Lots 10-14 of Block 14, Dupuyer Original Townsite, Montana be abandoned.

All Dupuyer residents in attendance at the hearing stated they were in favor of the alley abandonment. There was no correspondence received for or against the alley abandonment.

Commissioner Hoppes moved to abandon the alley described as Lots 5-7 and the north 3 feet of Lot 8 and Lots 10-14 of Block 14, Dupuyer Original Townsite, Montana. Commissioner Christiaens seconded. Motion carried.

The hearing was closed at 10:15 a.m.

DISCUSSION WITH RESIDENTS REGARDING DEBRIS FROM DECEMBER 2013 FIRE – June 25, 2014

Robert & Ali Newkirk, Rita Christiaens, Dennis & Nancy Williams, Lloyd & Shelly Walker, all residents of Dupuyer, addressed the commissioners regarding their frustration with the resolution of the debris removal from the December, 2013 fire that completely destroyed Pierre's Bar. The owner of record of the property, Peggy Utsler, has been given repeated deadlines from the County and the State of Montana to remove the debris. She has not met any of the deadlines and continues to ignore the issue and there have been no consequences for failure to meet the deadlines. The debris is on the main street of the town of Dupuyer and is not only an eyesore and a deterrent for and to other businesses, but, the residents feel, a health and safety issue for the community as well as an attractive nuisance. The residents requested the county do whatever is possible to compel Ms. Utsler to clean up the property. Discussion of options among the residents and the commissioners centered on a quick and proper solution to the problem. Also attending: Buck Traxler, Editor of the Independent Observer.

COMMISSIONER DIRECTIVE TO COUNTY ATTORNEY – June 25, 2014

Following discussion with Dupuyer residents in regards to the county's responsibility in pursuing action against Peggy Utsler, the former Pierre's Bar & Grill owner, Commissioner Broesder moved to direct the Pondera County Attorney to pursue court action against Peggy Utsler to compel action to mitigate the attractive nuisance and health and safety hazards on the property of the former Pierre's Bar and Grill. Commissioner Hoppes seconded. Motion seconded. Also attending was Buck Traxler, Editor of The Independent Observer.

TAX ABATEMENT ADD-ON APPROVED – June 25, 2014

Commissioner Broesder moved to approve tax abatement 959. Commissioner Hoppes seconded. Motion carried.

<i>NUMBER</i>	<i>REASON</i>	<i>CANCEL</i>	<i>ADD-ON</i>	<i>PARCEL #</i>
959	mobile home title was not transferred, must be broken off on own parcel. Was parcel 620900		\$420.99	2042300

SIXTH DRAWDOWN FOR BRADY COUNTY WATER & SEWER DISTRICT CDBG APPROVED – June 25, 2014

Commissioner Broesder moved to approve the Drawdown #6 on the Community Development Block Grant (CDBG) #MT-CDBG-11PF-07 for the Brady County Water & Sewer District in the amount of \$117,274.13. Commissioner Hoppes seconded. Motion carried.

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

SECOND DRAWDOWN FOR MONTANA BOARD OF INVESTMENTS INTERCAP LOAN APPROVED – June 25, 2014

Commissioner Broesder moved to approve the Drawdown #2 on the Montana Board of Investments Intercap Loan for PMC Refinancing & Equipment Purchases, if needed to transfer funds from loan payoff to equipment purchases. Commissioner Hoppes seconded. Motion carried.

Also attending was Buck Traxler, Editor of The Independent Observer

COMMISSIONERS MEETING TO REMAIN OPEN – June 25, 2014

Commissioner Hoppes moved to keep the meeting open through Monday, June 30, 12:00 p.m. in event that fiscal year end business needs to be taken care of. Commissioner Broesder seconded. Motion carried.

Also attending was Buck Traxler, Editor of The Independent Observer

RESOLUTION ABANDONING COUNTY ROAD RIGHT-OF-WAY – ADOPTED –
June 25, 2014

PONDERA COUNTY
RESOLUTION #49 – 2013/14
ABANDONING COUNTY ROAD RIGHT-OF-WAY

WHEREAS, pursuant to Section 7-14-2601, Montana Code Annotated, the Board of Pondera County Commissioners received a petition signed by the required ten freeholders, including every owner affected by the proposed abandonment; requesting the abandonment of an alley described as:

Lots 5-7 and the north 3 feet of Lot 8 and Lots 10-14 of Block 14, Dupuyer Original Townsite, Montana; and

WHEREAS, the Board of Pondera County Commissioners caused a Notice Of Public Hearing to be published in The Independent Observer, weekly newspaper published in the City of Conrad, and in the Valerian, weekly newspaper published in the Town of Valier, in the June 11 and June 18, 2014 issues, as required by Section 7-14-2615(2), Montana Code Annotated; and

WHEREAS the Board of Pondera County Commissioners, conducted said hearing on Wednesday, June 25, 2014 at 10:00 a.m. in the Commissioner’s Office, Courthouse, 20 4th Avenue SW, Conrad, Montana, and all appearing parties were in favor of the said vacation, and there being no correspondence received for or against said vacation and permanent closure, and the Board of Commissioners having determined that said County road can be vacated without detriment to the public interest.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Pondera County Commissioners that the county road right-of-way described as:

Lots 5-7 and the north 3 feet of Lot 8 and Lots 10-14 of Block 14, Dupuyer Original Townsite, Montana

and is hereby permanently abandoned and vacated pursuant to law, including all easements and rights of way previously granted to the county for purposes of providing a county road; and

NOW, THEREFORE IT IS HEREBY FURTHER RESOLVED THAT the Board of County Commissioners shall cause the petition for abandonment and this resolution to be entered into the official land records of Pondera County in the office of the Pondera County Clerk and Recorder.

ADOPTED this 25th day of June, 2014, as moved by Commissioner Hoppes, seconded by Commissioner Christiaens and passed on a unanimous vote of the full board. Effective on passage and approval.

BOARD OF COUNTY COMMISSIONERS
Pondera County, Montana

 /s/s Joseph Christiaens
Joseph Christiaens, Chairman

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

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

 /s/ Janice Hoppes
Janice Hoppes, Member

CLAIMS APPROVED FOR PAYMENT – June 30, 2014

FUND	AMOUNT
GENERAL	\$ 78,251.43
ROAD	62,076.86
BRIDGE	18,171.75
WEED	11,349.11
AIRPORT	1,103.72
PREDATORY ANIMAL	5,797.00
COMPREHENSIVE INSURANCE	
AMBULANCE	3,905.72
LIBRARY	77,248.00
COUNTY HOSPITAL & NURSING HOME	954,793.92
EXTENSION SERVICE	5,102.78
SENIOR CITIZENS	12,000.00

COUNTY FAIR		2,513.98
PUBLIC SAFETY (LAW ENFORCEMENT)		24,675.50
HEALTH INSURANCE - EMPLOYER CONTRIBUTION		770.82
RECORDS PRESERVATION		4,675.00
BRADY LIGHTS MAINTENANCE		327.91
911 EMERGENCY		11,110.63
LAND USE PLANNING		150.00
GAS APPORTIONMENT TAX		19,742.97
NORTHERN TRANSIT INTERLOCAL		436.06
VICTIM & WITNESS ADVOCATE		
DUI PREVENTION		1,048.76
BUCKLE UP MT		967.25
NOXIOUS WEED GRANR		2,450.66
EMERGENCY PREPAREDNESS GRANT		1,445.20
HEALTHY CHILD (LEAD POISONING) GRANT		2,546.47
BREAST & CERVICAL SCREENING		140.05
IMMUNIZATION BILLING GRANT		504.78
WIC GRANT		752.09
MATERNAL CHILD HEALTH		170.24
IMMUNIZATION ACTION PROGRAM		591.03
TOBACCO USE PREVENTION GRANT		2,971.93
NAPA GRANT		174.37
JUNK VEHICLE GRANT		48.00
MBCC GRANT - PURCHASE TASERS		
HOSPITAL DEBT SERVICE 95		350.00
GENERAL FUND CAPITAL IMPROV		
ROAD/BRIDGE EQUIP PURCHASE		78,500.00
PUBLIC SAFETY CAP IMPROV		484.96
REFUND FUND		27,156.32
PAYROLL FUND		5,402.84
TOTAL CLAIMS	\$	1,419,908.11
TOTAL PAYROLL		<u>236,871.73</u>
TOTAL CLAIMS AND PAYROLL FUNDS		<u><u>1,656,779.84</u></u>

ADJOURNMENT

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

Joseph Christiaens, Chairman

ATTEST:

Kody Farkell, Clerk & Recorder