

**REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS  
PONDERA COUNTY, MONTANA  
Held in January, 2015**

The Board of Pondera County Commissioners met daily in informal session and in scheduled meetings on January 7, 14, 20, and 27, 2015. Unless indicated, all Commissioners were present.

COMMISSION REORGANIZATION – January 7, 2015

Commissioner Hoppes moved to appoint Commissioner Broesder as Chairman for calendar year 2015. Commissioner Kuka seconded. Motion carried. Commissioner Kuka moved to appoint Commissioner Hoppes as Vice Chairman of the Commission for calendar year 2015. Commissioner Hoppes seconded. Motion carried. Also attending: Buck Traxler, Editor of The Independent-Observer.

RESOLUTION PROVIDING FOR PUBLIC PARTICIPATION – ADOPTED – January 7, 2015

PONDERA COUNTY  
RESOLUTION #15 – 2014/15  
PROVIDING FOR PUBLIC PARTICIPATION

WHEREAS Section 2-3-103(1), Montana Code Annotated, requires that the Board of County Commissioners develop procedures for permitting and encouraging the public to participate in decisions of the Board of County Commissioners that are of significant interest to the public, and

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

1. Prior to making a final decision that is of significant interest to the public, the Board of County Commissioners will afford reasonable opportunity for public participation;
2. To assure adequate notice and assist public participation before a final decision is made or final action is taken on any matter that is of significant interest to the public, the Board of County Commissioners will post its weekly agenda on the main hallway bulletin board in the Pondera County Courthouse;
3. The weekly agenda will be posted no later than 5:00 p.m. on Friday of the previous week. Matters that require statutory notice by publication or posting will be complied with as the particular statute may require.
4. The Board of County Commissioners will hold a regular meeting from 10:00 a.m. to 12:00 noon on Wednesday of each week for the purpose of taking final action on any matter of significant interest to the public involving the adoption of any rule or resolution, determining a contested case, entering into or awarding a contract or any other matter of significant interest to the public.

Prior to taking final action on any matter of significant interest to the public, the chairman or presiding commissioner of the Board will provide reasonable time for any person present to submit data or comments either orally or in writing regarding final action that may be taken by the Board;

5. The office of the Board of County Commissioners is open for business from 9:00 a.m. to 12:00 noon and 1:00 p.m. to 4:00 p.m., Monday through Thursday. The office will be open for business on Friday by appointment. No notice will be given of routine matters or impromptu discussions with county employees, vendors or other citizens. All meetings of the County Commissioners are open to the public unless closed as provided by statute.

Adopted this 7<sup>th</sup> day of January, 2015 as moved by Commissioner Hoppes seconded by Commissioner Kuka, and passed on a 3-0 vote of the full board. Effective on passage and approval.

PONDERA COUNTY COMMISSIONERS  
Pondera County, Montana

/s/ Sandra J Broesder  
Sandra J. Broesder, Chairman

/s/ Janice Hoppes  
Janice Hoppes, Member

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

/s/ Thomas A Kuka  
Thomas A. Kuka, Member

RESOLUTION SETTING MILEAGE ALLOWANCE, LODGING AND PER DIEM REIMBURSEMENT RATES – ADOPTED – January 7, 2015  
PONDERA COUNTY, MONTANA  
RESOLUTION #16 – 2014/15

SETTING MILEAGE ALLOWANCE, LODGING AND PER DIEM REIMBURSEMENT RATES

WHEREAS Sections 2-18-501 through 2-18-503, and Section 7-4-2108, Montana Code Annotated, provide that persons who may be entitled to mileage, lodging and per diem reimbursement paid from public funds when using their own automobiles, incurring costs for lodging and per diem, in the performance of official duties are entitled to collect mileage for the distance actually traveled by automobile at a rate equal to the mileage allotment allowed by the Internal Revenue Service for the preceding calendar year; and

WHEREAS the mileage rate for state and local government employees has been established for calendar year 2015 by the Internal Revenue Service as 57.5 cents per mile for the first 1,000 miles of travel within each month and the rate for mileage over 1,000 miles per month at 54.5 cents per mile (3 cents less per mile, per 2-18-503(b), Montana Code Annotated)

WHEREAS the State of Montana has established the lodging and per diem rates for state and local government employees as follows:

In-state lodging reimbursement rate is \$83.00 plus tax for all communities except for Big Sky/ West Yellowstone – Gallatin County, Butte-Silver Bow County, Helena – Lewis & Clark County, Missoula – Missoula County, Polson, Lake County, Kalispell – Flathead County, Sidney – Richland County and Glendive – Dawson County which communities are considered high cost areas.

In-state lodging in high cost areas reimbursement at the State of Montana reimbursement rate;

<u>Per Diem Rates</u>	<u>In-State</u>	<u>Out-of-State</u>
Morning Meal	\$ 5.00	\$ 7.00
Mid-Day Meal	\$ 6.00	\$ 11.00
Evening Meal	\$ 12.00	\$ 23.00
Totals	\$ 23.00	\$ 41.00

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pondera County that the mileage allotment allowed to Pondera County employees during calendar year 2015 shall be 57.5 cents per mile (up to and including 1,000 miles) and 54.5 cents per miles (over 1,000 miles) during each calendar month; and

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Board of County Commissioners of Pondera County that the in-state lodging reimbursement and per diem rates shall be

In-state lodging reimbursement rate is \$83.00 plus tax for all communities except for Big Sky/ West Yellowstone – Gallatin County, Butte-Silver Bow County, Helena – Lewis & Clark County, Missoula – Missoula County, Polson, Lake County, Kalispell – Flathead County, Sidney – Richland County and Glendive – Dawson County which communities are considered high cost areas.

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Totals	\$ 23.00	\$ 41.00

Adopted this 7<sup>th</sup> day of January, 2015 as moved by Commissioner Hoppes, seconded by Commissioner Kuka, and passed on a 3-0 vote of the full board. Effective on passage and approval.

Pondera County, Montana

/s/ Sandra J Broesder  
Sandra J. Broesder, Chairman

/s/ Janice Hoppes  
Janice Hoppes, Member

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

/s/ Thomas A Kuka  
Thomas A. Kuka, Member

RESOLUTION SETTING COSTS IN TAX LIEN SALES, ASSIGNMENTS, REDEMPTIONS AND TAX DEED SALES, AND OWNERSHIP AND INTEREST SEARCH BIDS – ADOPTED – January 7, 2015

PONDERA COUNTY, MONTANA  
RESOLUTION NO.17 – 2014/15  
RESOLUTION SETTING COSTS IN TAX LIEN SALES, ASSIGNMENTS, REDEMPTIONS AND TAX DEED SALES, AND OWNERSHIP AND INTEREST SEARCH BIDS

WHEREAS, Section 15-17-121(2)(a), MCA, defines “Costs” incurred by the county as a result of a taxpayer’s failure to pay taxes when due, including but not limited to any actual out-of-pocket expenses incurred by the county plus the administrative costs; and the county costs collected may be deposited in the county General Fund, pursuant to Section 15-17-322, MCA; and

WHEREAS, Section 15-17-212, MCA, directs the county treasurer, upon receipt of all delinquent taxes, penalties, interest and costs, to prepare a TAX SALE CERTIFICATE and the costs to a purchaser other than the County, shall be set as follows:

- preparation of list of delinquent taxes
  - preparation of notice of pending tax sale
  - conducting the tax sale
  - preparation of the tax sale certificate
- Total, per parcel        \$25.00

WHEREAS, Section 15-17-323, MCA, directs the county treasurer, upon receipt of all delinquent taxes, penalties, interest and costs, to prepare an ASSIGNMENT certificate of the county’s interest in property in which the county is listed as the purchaser and the costs to an assignee, shall be set as follows:

- preparation of Assignment Certificate
  - recording fees
  - distribution of payment
- Total, per parcel        \$25.00

WHEREAS, Section 15-18-113 and Section 15-18-114, MCA, directs the county treasurer, upon receipt of all delinquent taxes, penalties, interest and costs, to process the REDEMPTION of the County’s or assignee’s interest in the property redeemed and the refund to the assignee, shall be set as follows:

- processing redemption
  - distribution of payment
  - processing refund to assignee
  - certified mail and/or publication costs
- Total, per parcel        \$25.00

WHEREAS, Section 15-18-211, MCA, directs the county treasurer, upon receipt of all delinquent taxes, penalties, interest and costs, to grant the purchaser a TAX DEED for the property, and the costs shall be set as follows:

- preparation and postage for courtesy letters
  - identification and notification of interested persons
  - certified mail and/or publication costs
  - title search costs
  - publication of legal notices
  - recording fees
  - preparation of deed
- Total, per parcel        \$300.00

WHEREAS, Section 15-18-212, MCA, directs notification to all persons considered interested parties in the property and the current occupant of the property, if any, that a tax deed may be issued to the county unless the property tax lien is redeemed prior to the expiration date of the redemption period, the County intends to contract for the services of a licensed title company to perform ownership and interest searches on all properties selected by the Board of County Commissioners. Inasmuch as there is only one licensed title company with its office in Pondera County, the Commissioners will contract with said Pondera County Title Company for its services in determining interested parties and issuance of a Litigation Guarantee on each parcel. A request for cost for these services will be obtained from the Pondera County Title Company.

NOW, THEREFORE, BE IT RESOLVED by the Pondera County Board of Commissioners that the fees for the actual and administrative costs, assessed to a purchaser other than the County, are set as follows:

TAX SALE CERTIFICATE, PER PARCEL	\$ 25.00
ASSIGNMENT, PER PARCEL	\$ 25.00
REDEMPTION, PER PARCEL	\$ 25.00
TAX DEED SALE, PER PARCEL	\$300.00

BE IT FURTHER RESOLVED by the Pondera County Board of Commissioners that the Board of County Commissioners will contract with Pondera County Title Company for its services in determining interested parties and issuance of a Litigation Guarantee on each parcel. A request for cost for these services will be obtained from the Pondera County Title Company.

Adopted this 7<sup>th</sup> day of January, 2015 as moved by Commissioner Hoppes, seconded by Commissioner Kuka, and passed on a 3-0 vote of the full board. Effective on passage and approval.

PONDERA COUNTY COMMISSIONERS  
Pondera County, Montana

/s/ Sandra J Broesder  
Sandra J. Broesder, Chairman

/s/ Janice Hoppes  
Janice Hoppes, Member

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

/s/ Thomas A Kuka  
Thomas A. Kuka, Member

RESOLUTION SETTING INCARCERATION COSTS– ADOPTED – January 7, 2015  
PONDERA COUNTY, MONTANA  
RESOLUTION NO. 18 – 2014/15  
INCARCERATION COSTS

WHEREAS, Section 46-18-403, MCA, states that “the daily rate for incarceration must be established annually by the Board of County commissioners by resolution” and that the daily rate must be equal to the actual cost incurred by the detention facility and it has been determined that the actual costs incurred by the Pondera County detention facility, on an average daily basis, is equal to Fifty dollars (\$ 50.00);

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pondera County that the daily rate for confinement costs, other than for actual medical costs, as ordered by the court and paid in advance for confinement and prior to payment of any fine, is hereby established at \$ 50.00 per day; and

BE IT FURTHER RESOLVED, if a judgment is for a fine and imprisonment until the fine is paid, the detainee shall be allowed a credit of \$ 50.00 for each day of incarceration; and that an inmate is responsible for the actual costs of medication, medical services, or hospitalization while detained in a detention center, based upon the individual’s ability to pay and/or private provider health care coverage, or a bonafide and responsible third-party payer; and

BE IT FURTHER RESOLVED, that the County Attorney shall initiate proceedings to collect from the inmate any charges arising from the medical services or hospitalization in accordance with 7-32-2245, MCA.



PONDERA COUNTY MONTANA  
 RESOLUTION #20 - 2014/15  
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 Amount	Description	Prior Amount	New
2170-304-430304-350	Professional Services	\$10,000	\$2,000
2170-304-430302-350	Professional Services	\$ 900	\$8,900

Adopted this 7th day of January, 2015 as moved by Commissioner Hoppes, seconded by Commissioner Kuka, and passed on a 3-0 vote of the board. Effective on passage and approval.

PONDERA COUNTY COMMISSIONERS  
 Pondera County, Montana

<u>/s/ Sandra J Broesder</u> Sandra J. Broesder, Chairman	<u>/s/ Janice Hoppes</u> Janice Hoppes, Member
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Attest: <u>/s/ Kody L Farkell</u> Kody L. Farkell, Clerk & Recorder	<u>/s/ Thomas A Kuka</u> Thomas A. Kuka, Member
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APPOINTMENT TO COUNTY BOARDS – January 7, 2015

Commissioner Hoppes moved and Commissioner Kuka seconded, to appoint the following people to County Boards. Motion carried.

Airport – Kenneth Wheeler, Sr as an additional member (2017), Heath Elings (2017), Dan Rouns (2017)

Cemetery - Jeff Sullivan (2017), Wendy Paulsen to replace Guy Miser (2015)

Community Service – Danelle Dyer (2017), Eddy Erickson (2016), Carl Suta, (2015), Shannon Gabbard (2015)

Health – Dave Sibert (2017), Brian Garnett (2017)

Park – Gerald Bruner (2016), Kenneth Wheeler, Sr (2016)

Tax Appeal – Vicky Hemry (2017)

TV-Conrad – Sharon Eisenberg (2017)

Port Authority – Ted Kronebusch (2019), Patrick Wheeler (2019)

Weed – Jody Field (2017)

Building Inspection – Ted Kronebusch (2017), John McFarland (2017)

Also attending: Buck Traxler, Editor of the Independent Observer

REQUEST FOR PROPOSALS – IT SERVICES- January 7, 2015

Copies of the proposals received have been distributed to the Department Heads and Commissioners will be in discussion with Department Heads about their thoughts.  
Also attending: Buck Traxler, Editor of the Independent Observer

IT SERVICES CONTRACTED APPROVED – January 13, 2015

Four proposals were submitted for IT services (software only). Proposals received were:

1. 1<sup>st</sup> Call – Basic Service \$8,800 per year; Basic Service with Support Pack \$16,800 per year.
2. Jathco Systems – 10,800 per year for 6 hours every other week, \$85 per hour after that.
3. DIS Technologies - \$18,540 per year; includes Gray Bar (9-1-1 System) maintenance (normal cost \$3,600 per year)
4. Morrison-Maierle - \$28,212 per year.

Commissioner Kuka moved to accept the proposal for IT Services, which will include 9-1-1 system maintenance. Commissioner Hoppes seconded. Motion carried.

Also attending was Ron Jones, Joyce Jones, and John Stokes, Pondera County Road Supervisor.

Commissioner Broesder was Absent.

LITTER ORDINANCE AND DECAY ORDINANCE PUBLIC MEETING HELD –  
January 7, 2015

Those in attendance: Commissioners Broesder, Hoppes, and Kuka, Justice of the Peace Audrey Brown, County Attorney Mary Ann Ries, County Sanitarian Corrine Rose, County DES Coordinator LeAnn Hermance, Sheriff Carl Suta, Clerk & Recorder Kody Farkell, and residents Ron Jones, Roger Keith, Rita Christiaens, Maynard VanTongeren, Brad Huffman, Cynthia Johnson, Cheryl Curry, Ernie Habets, Penny Douglas, Jeff Habets, and Melissa Habets.

Commissioner Hoppes gave an overview of the proposed ordinances. The ordinances, driven by citizen complaints only, gives the governing body (County) the ability to fine those violating the ordinance. The proposal of the ordinances was spurred on by recent issues with debris clean-up in Dupuyer from a fire at Pierre's Bar in December 2013.

The county was only able to take action to clean-up through legal action. The ordinances would allow similar issues to be dealt with without court action. In addition, any cost incurred by the County could be added to the property owners taxes, ensuring the cost could be recouped. Without an ordinance the County will likely not recoup costs for any clean-up.

County Sanitarian emphasized that most residents are very cooperative with her when she must investigate a complaint and she expects most would be cooperative with the new ordinances.

Those in attendance expressed concerns about what will actually be considered litter, such as manure or scrap metal; One man's junk is another man's treasure. Concerns about how agricultural operations were discussed at length. Commissioners emphasized that the ordinances can be worded to only include specific areas, such as platted, unincorporated towns.

The process for enforcement would only be when a citizen complained and would be followed up by an investigation by a designated enforcement officer. Only if the land owner failed to work with the designated officer would the complaint be taken to the Justice of the Peace and County Attorney.

Overall, the consensus of those in attendance was that if the ordinances are put in place they should only include platted, unincorporated areas of the county.

A draft of the ordinances will be written up by County Commissioners and made available for public comment.

REQUEST FOR REINSTATEMENT OF PUBLIC ROAD TO COUNTY ROAD –  
DENIED – January 13, 2015

Ron Jones submitted a request for a section of Cemetery Road to be reinstated from a public road to a county road from the north boundary of section 21, T28N, R7W, south to Jones' approach to recently acquired property. There are not any residences on that section of road and no residences are being planned. However, Jones' will be building corrals and buildings.

County Road Supervisor John Stokes explained that any road extensions must meet certain standards in order for the county to remain eligible for federal funding in an

emergency event. Gravel for the ¼ mile road extension would cost the county \$11,000 plus cost of gravel delivery and labor to build the road.

Based on the fact there are no residences on the requested road Commissioner Kuka moved and Commissioner Hoppes seconded to deny the request to reinstate a portion of Cemetery Road to a County Road. Motion carried.

Also attending was Ron Jones, Joyce Jones, and John Stokes, Pondera County Road Supervisor.

Commissioner Broesder was Absent.

**HIRE CONTRACTOR FOR CLEAN-UP OF PIERRE'S FIRE DEBRIS – APPROVED**  
– January 21, 2015

In December a District Court ruling gave Pierre's Bar owner 30 days to clean up the fire debris or Pondera County would be authorized to hire someone to do the clean-up and place a lien on the property. The 30 day time period has been reached and no action was taken by the landowner. Commissioner Kuka contacted Jerry Sullivan about doing the clean-up of the Pierre's fire debris in Dupuyer for the County. Commissioners Hoppes and Broesder agreed they preferred to hire a local contractor to do the clean up. Commissioner Kuka moved to hire Jerry Sullivan for the clean-up. Commissioner Hoppes seconded. Motion carried.

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

**PAYMENT OF DUES TO CONRAD AREA CHAMBER OF COMMERCE**  
**APPROVED** – January 21, 2015

Commissioner Hoppes moved to pay the dues to the Conrad Area Chamber of Commerce in the amount of \$125. The dues were included in the FY2014-15 budget. Commissioner Kuka seconded. Motion carried.

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

**RESOLUTION PROVING FOR STATE BUILDING CODE – ADOPTED** – January 21, 2015

**PONDERA COUNTY MONTANA**  
**RESOLUTION #21 - 2014/15**

**A RESOLUTION PROVIDING FOR THE ADOPTION AND ENFORCEMENT OF THE "STATE BUILDING CODE," ESTABLISHING PROCEDURES FOR PRACTICE AND ENFORCEMENT AND PROVIDING FOR A BOARD OF APPEALS.**

BE IT RESOLVED BY THE PONDERA COUNTY, MONTANA COMMISSIONERS the following shall be adopted:

Section 1.

**ADOPTION OF CODES.** Those certain codes known as "The State Building Code" (referred to in Section 50-60-203 M.C.A.) are hereby adopted by the Pondera County for the purpose of regulating non-residential buildings in Pondera County outside of the Blackfeet Reservation and protecting the health and safety of the County's citizenry, which codes consist of:

- a. The International Building Code (hereinafter referred to as the "IBC"), 2012 Edition, as described in and amended by Section 24.301.131, 1 through 3, of the Administrative Rules of Montana (hereinafter referred to a "A.R.M.) and A.R.M 24.301.146, 1 and 2 and including IBC Appendix C (Group U- Agricultural Buildings) and Appendix H.
- b. The International Energy Conservation Code (hereinafter referred to as the " IECC") 2012 Edition, as amended by Section A.R.M. 8.70.204(1).
- c. Uniform Plumbing Code, 2012 Edition - Effective: December 1, 2014.
- d. International Mechanical Code, 2012 Edition – Effective: December 1, 2014.
- e. International Fuel Gas Code, 2012 Edition – Effective: December 1, 2014.

These codes are hereby adopted and incorporated herein as if fully set out in their entirety herein.

Section 2.

**BUILDING PERMITS.**

- a. Any person wishing to obtain a building permit shall submit a completed application to the building inspector.
- b. The building inspector shall specify the manner in which said application shall be completed. At a minimum, the application shall contain:
  - i. A description of the land which it will affect;
  - ii. The present use of any existing structures;
  - iii. Plans and specifications indicating the entire scope of work.
- c. The applicant shall furnish such other documents as the building inspector deems relevant and necessary, in his discretion, for review of the proposed work.
- d. The building inspector may, in his discretion, waive any of the requirements hereunder when the proposed work is of an insubstantial nature or effect.

### Section 3.

#### PLAN REVIEW

- a. The building inspector shall be responsible for coordination of building plan review and for issuance of building permits.
- b. Upon application by any person for a building permit, the building inspector shall review the plans for compliance with this code. The building inspector shall submit the plans to any other affected county departments for review and approval by the departments before issuing a permit.
- c. Building plan review shall be completed by the building inspector within sixty (60) working days of submission of a completed application.
- d. The building inspector may, in certain cases, request the building codes division, other state agencies or design professionals to aid in the plan review process. In such cases, the building inspector may lengthen the completion of time for review by twenty (20) working days when necessary.
- e. One such approved set of plans and specifications shall be retained by the building inspector as a public record, for a period of not less than ninety (90) from the date of completion of the work covered therein, and one set of approved plans and specifications shall be returned to the applicant, which set shall be kept on such building or work site at all times during which the work authorized thereby is in progress and shall be open to inspection by public officials. Such approved plans and specifications shall not be changed, modified or altered without authorization from the building inspector and all work shall be done in accordance with the approved plans.

### Section 4.

#### INSPECTIONS

- a. Inspections shall be conducted by the building inspector. Where other departments require inspection, the building inspector shall ensure they are conducted within the time frame allowed. Final inspections and issuance of certificates of occupancy shall be conducted in accordance with the International Building Code.

Where applicable the work listed below must be inspected prior to covering. Request for an inspection must be made seventy-two (72) hours in advance.

  - a. Footing.
  - b. Foundation wall.
  - c. Concrete slab.
  - d. Under floor (crawl space).
  - e. Frame (walls, trusses, rafters, floor, etc.).
  - f. Energy efficiency (insulation, glazing, etc.).
  - g. Wall board.
  - h. Final – issue certificate of occupancy.
  - i. Reroof/Reside – tear off, in-progress and final.
- b. Written inspection reports or verbal communication will be conveyed to the contractor, job superintendent, design professional or owner with a copy or notation retained in the inspectors file should any discrepancies be observed.

- c. Depending on the scope of work not all of the above inspections may be necessary. Circumstances may require additional site visits for consultation or discrepancy resolution.

Section 5.

INSPECTOR QUALIFICATIONS AND DUTIES.

- a. The building inspector shall possess adequate knowledge of the building trade and such other qualifications as may be prescribed by the county commissioners from time to time.
- b. As building inspector, his duties shall include those set forth in the International Building Code and in Montana Code Annotated title 50, chapter 60, 2013, as now or hereinafter amended.

Section 6.

FACTORY BUILT BUILDINGS. Factory built buildings bearing an insignia issued by Montana building codes division, department of labor and industry, shall be subject to local government zoning, utility connections, building permit and subsequent inspections for foundations and appurtenance to the structure. (Landings, stairs, decks, covered porches and the like). Applications to the building official for the erection and utility connection shall be in accordance with the International Building Code.

Section 7.

PERMIT FEES. Building permit fees shall be set and established by the County Commissioners from time to time by appropriate resolution.

Section 8.

TERRITORIAL APPLICATION. The jurisdictional area of the building department of the county shall be commercial buildings and structures and permits therefore within the county boundaries (excluding that portion of the Blackfeet Reservation within the county boundaries).

Section 9.

BOARD OF APPEALS. In order to determine the suitability of alternate materials and methods of construction and to provide for reasonable interpretations of the provisions of the International Building Code, there shall be and is hereby created a board of appeals, consisting of four (4) members, who are qualified by experience and training to pass upon matters pertaining to building construction. The building official shall be an ex officio member and shall act as secretary of the board. The board of appeals shall be appointed by the county commissioners and shall hold office at their leisure. The board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings, in writing, to the building official, with a duplicate copy to the applicant. The board may recommend to the county commissioners such new legislation as is consistent herewith.

Section 10.

VIOLATIONS AND PENALTIES.

- a. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, raze, convert, demolish, equip, use, occupy or maintain any building or structure in the city, or cause or permit the same to be done, contrary to, or in violation of, any of the provisions of this chapter.
- b. Any person, firm or corporation violating any of the provisions of this code shall be deemed guilty of a misdemeanor and each such person shall be deemed guilty of a separate offense for each and every day during which any violation of any of the provisions of this code is committed, continued or permitted an upon conviction of any such violation, such person shall be punishable by a fine of not more than three hundred dollars (\$300.00) or by imprisonment for not more than ninety (90) days or by both such fine and imprisonment.

Section 11.

COPY ON FILE. One copy of each of the codes mentioned above shall be on file with the Clerk and Recorder of Pondera County for inspection by the public.

Section 12.

EFFECT OF FUTURE AMENDMENTS TO THE "STATE BUILDING CODE".

Each and every provision of this Resolution shall be amended by Pondera County within ninety (90) days of notification of changes adopted by the Department of Labor and Industry, Building Codes Bureau, when and as any future amendments are made to the codes referred herein above so as to conform to future amendments.

Section 13.

REPEAL OF CONFLICTING RESOLUTIONS. All former resolutions or parts thereof conflicting or inconsistent with the provisions of this resolution are hereby repealed.

Section 14.

SEVERABILITY. The Pondera County Commissioners declare should any section, paragraph, sentence, or word of this Resolution be declared invalid, for any reason, the portions of such resolution declared invalid shall be severed from the remainder of this Resolution, and the remainder of this resolution shall remain valid, independent of such severed provisions.

Section 15.

EFFECTIVE DATE. Pursuant to Section 7-5-123, M.C.A., 2013, this Resolution shall have full force and effect upon passage and approval by the Pondera County Commissioners.

Section 16.

AUTHORITY. Pursuant to the authority granted Pondera County in Section 7-15-4121, M.C.A., 2013, the above referenced building codes are hereby adopted and approved by the Commissioners.

Adopted this 21<sup>st</sup> day of January, 2015 as moved by Commissioner Hoppes, seconded by Commissioner Kuka, and passed on a 3-0 vote of the full board. Effective on passage and approval.

PONDERA COUNTY COMMISSIONERS  
Pondera County, Montana

/s/ Sandra J Broesder  
Sandra J. Broesder, Chairman

/s/ Janice Hoppes  
Janice Hoppes, Member

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

/s/ Thomas A Kuka  
Thomas A. Kuka, Member

RESOLUTION TO LOAN TO FUND 7380 PORT AUTHORITY FUND – ADOPTED –  
January 21, 2015

PONDERA COUNTY, MONTANA  
RESOLUTION #22 – 2014/15  
LOAN TO FUND 7380 PORT AUTHORITY FUND

WHEREAS, Pondera County receives an annual payment from the City of Conrad for the Blue Sky Villa, currently in the amount of \$14,962.50; and

WHEREAS, the Commissioners have entered into an agreement with the Port Authority to loan the fiscal year 2014-15 payment to the Port Authority to be used for Port Authority revolving loan funds to small businesses within Pondera County and/or as operating funds; and

WHEREAS, the County has received the fiscal year 2014-15 payment in the amount of \$14,962.50 and has entered into a loan agreement with the Port Authority; and

WHEREAS, the funds shall be subject to repayment and/or forgiveness under the terms of the annual loan agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pondera County that the Clerk and Recorder effect the loan of \$14,962.50 from the County General Fund to the Port Authority Fund and that the loan be repaid and/or forgiven under the terms of the January 21, 2015 loan agreement.

Adopted this 21<sup>st</sup> day of January, 2015 as moved by Commissioner Hoppes, seconded by Commissioner Kuka, and passed on a 3-0 vote of the full board. Effective upon passage and approval.

PONDERA COUNTY COMMISSIONERS  
Pondera County, Montana

/s/ Sandra J Broesder  
Sandra J. Broesder, Chairman

/s/ Janice Hoppes  
Janice Hoppes, Member

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

/s/ Thomas A Kuka  
Thomas A. Kuka, Member

COUNTY TO ACT AS PASS-THROUGH AGENT FOR GRANT MONIES FOR TOWN OF BRADY – APPROVED - January 21, 2015

Commissioner Hoppes moved to have the County act as the pass-through agent for grant monies applied for by the Town of Brady. Grant funds being sought are for the repair/replacement of sidewalks on Central Ave. Commissioner Kuka seconded. Motion carried.

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

RESOLUTION DECLARING PROPERTY SURPLUS AND SETTING SALE – January 27, 2015

PONDERA COUNTY  
RESOLUTION #23 – 2014/15  
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:

Two (2) L-Shaped office desks Value: \$0.00

and

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

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

- 1) hereby declares the property listed above as surplus property which is not necessary to the conduct of county business or the preservation of its property,
- 2) agrees to sell the property “as is” to the public, pursuant to Section 7-8-2217 Montana Code Annotated, by private sale for a negotiated price.

ADOPTED this 27th day of January 27, 2015 as moved by Commissioner Hoppes, seconded by Commissioner Kuka, and passed on a 3-0 vote. Effective on passage and approval.

PONDERA COUNTY COMMISSIONERS  
Pondera County, Montana

/s/ Sandra J Broesder  
Sandra J. Broesder, Chairman

/s/ Janice Hoppes  
Janice Hoppes, Member

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

/s/ Thomas A Kuka  
Thomas A. Kuka, Member

DECEMBER MINUTES APPROVED - January 27, 2015

Commissioner Hoppes moved and Commissioner Kuka seconded to approve the Commission Minutes for December 2014. Motion carried.

BID OPENING FOR AG TRACTORS FOR ROAD DEPARTMENT – January 29, 2015

Bids were opened for the purchase of one or two ag tractors. The bids received were:

Big Sky Equipment – Conrad, MT		
One (1) 2014 New Holland T6-150		\$ 76,900
Two (2) 2014 New Holland T6-150s		\$153,800

Frontline Ag – Conrad, MT		
One (1) 2014 John Deere 611M		\$ 72,690
Two (2) 2014 John Deere 6115Ms		\$145,380

Commissioner Hoppes moved to accept the bids and take them under advisement for further review. Commissioner Kuka seconded. Motion carried.  
 Also attending was John Stokes, Pondera County Road Supervisor and Kurt Christiaens, Big Sky Equipment.

CLAIMS APPROVED FOR PAYMENT – January 30, 2015

<i>FUND</i>	<i>AMOUNT</i>
GENERAL	\$ 34,509.85
ROAD	14,035.77
BRIDGE	900.43
WEED	829.76
AIRPORT	10,394.79
PREDATORY ANIMAL	
COMPREHENSIVE INSURANCE	0.02
AMBULANCE	441.54
LIBRARY	
COUNTY HOSPITAL & NURSING HOME	80,632.97
EXTENSION SERVICE	2,763.71
SENIOR CITIZENS	
COUNTY FAIR	500.00
PUBLIC SAFETY (LAW ENFORCEMENT)	11,846.59
HEALTH INSURANCE - EMPLOYER CONTRIBUTION	770.82
DRUG FORFEITURE	
RECORDS PRESERVATION	
BRADY LIGHTS MAINTENANCE	342.42
911 EMERGENCY	1,440.68
LAND USE PLANNING	200.00
GAS APPORTIONMENT TAX	
NORTHERN TRANSIT INTERLOCAL	202.42
STATE ALLOCATED FEDERAL MINERAL	125.00
VICTIM & WITNESS ADVOCATE	245.00
NEIGHBORHOOD STABIL. GRANT	
DUI PREVENTION	
BUCKLE UP MT	130.92
NOXIOUS WEED GRANT	
EMERGENCY PREPAREDNESS GRANT	2,487.12
PERFORMANCE MGT GRANT	91.97
HEALTHY CHILD (LEAD POISONING) GRANT	
BREAST & CERVICAL SCREENING	92.97
IMMUNIZATION BILLING GRANT	28.75
WIC GRANT	194.16
MATERNAL CHILD HEALTH	164.98
IMMUNIZATION ACTION PROGRAM	306.00
TOBACCO USE PREVENTION GRANT	210.10
NAPA GRANT	1,000.00
JUNK VEHICLE GRANT	
HOSPITAL DEBT SERVICE 95	3,899.40
GENERAL FUND CAPITAL IMPROV	

ROAD/BRIDGE EQUIP PURCHASE		91,300.00
PUBLIC SAFETY CAP IMPROV		29,389.28
REFUND FUND		529.32
PAYROLL FUND		
TOTAL CLAIMS	\$	290,006.74
TOTAL PAYROLL		<u>219,888.19</u>
TOTAL CLAIMS AND PAYROLL FUNDS		<u>509,894.93</u>

**ADJOURNMENT**

The meeting adjourned at 5:00 p.m. on January 30, 2015. Pondera County, Montana.

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Sandra J Broesder, Chairman

ATTEST:

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Kody Farkell, Clerk & Recorder