

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

The Board of Pondera County Commissioners met daily in informal session and in scheduled meetings on April 1, 8, 15, 22, and 29, 2015. Unless indicated, all Commissioners were present.

THERE WAS NO COMMISSIONERS MEETING APRIL 1, 2015 AS ALL COMMISSIONERS WERE ATTENDING THE MONTANA ASSOCIATION OF ROAD SUPERVISORS ANNUAL MEETING.

PUBLIC HEARING CONDUCTED ON ALLEY ABANDONMENT IN CONRAD SECOND ADDITION – April 8, 2015

Attending: Commissioners Broesder, Hoppes, and Kuka, Clerk and Recorder Farkell, Cynthia Johnson, Pondera Regional Port Authority, Sarah Converse, Sweetgrass Development, Bill O'Leary, Pondera Medical Center, Landowners Tim and Amy Salois, and Buck Traxler, Editor of the Independent Observer.

The notice of the hearing was published in The Independent-Observer and The Valerian in the March 25 and April 1, 2015 issues.

Commissioner Hoppes called the hearing to order at 10:00 a.m. at the Pondera County Courthouse. Hoppes stated the intent of the hearing is to hear public input and make a determination as to abandoning an alley in the Conrad Second Addition. The property was platted in lots and block, but is not within the City of Conrad boundaries. A petition was received from Tim and Amy Salois, owners of record on both sides requesting the alley described as Lots 4-10 and Lots 11-17, Block 50, Conrad Second Addition to the Townsite of Conrad, Pondera County, Montana be abandoned.

The Commissioners received one phone call from a resident in that area concerned about increased traffic due to the closure. The caller was reassured by Commissioners and Salois' that there will be no change in traffic or use due to the closure.

Commissioner Hoppes moved to abandon the alley described as Lots 4-10 and Lots 11-17, Block 50, Conrad Second Addition to the Townsite of Conrad, Pondera County, Montana. Commissioner Kuka seconded. Motion carried.

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

RESOLUTION ABANDONING COUNTY ROAD RIGHT AWAY – ADOPTED – April 8, 2015

**PONDERA COUNTY  
RESOLUTION #30 – 2014/15  
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 4-10 and Lots 11-17, Block 50, Conrad Second Addition to the Townsite of Conrad, Pondera County, 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 March 25 and April 1, 2015 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, April 8, 2015 at 10:00 a.m. in the Commissioner's Office, Courthouse, 20 4<sup>th</sup> 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 4-10 and Lots 11-17, Block 50, Conrad Second Addition to the Townsite of Conrad, Pondera County, 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 8<sup>th</sup> day of April, 2015, as moved by Commissioner Hoppes, seconded by Commissioner Kuka and passed on a unanimous vote of the full board. Effective on passage and approval.

**BOARD OF COMMISSIONERS  
PONDERA COUNTY**

          /s/ Sandra J Broesder            
Sandra J Broesder, Chairman

          /s/ Janice Hoppes            
Janice Hoppes, Member

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

          /s/ Thomas A Kuka            
Thomas A Kuka, Member

**REQUEST FOR REMODELING TO PONDERA MEDICAL CENTER – APPROVED**  
– April 8, 2015

Pondera Medical Center CEO Bill O’Leary presented the Commissioners with plans to expand the Wellness area of and reconfigure the physical therapy area of Pondera Medical Center. In an effort to more effectively utilize the wellness and physical therapy areas, two existing exam rooms will be removed and wellness equipment moved into that area. Two exam rooms will then be built in another area of the wellness department. The wound care area (with the wellness department) will also be re-designed.

PMC is also asking to re-design the conference room to better utilize the space for meetings, particularly during meetings which include a meal. O’Leary also stated the bridge into the entrance of the hospital is being completed.

Because the County owns the building Pondera Medical must have approval from Commissioners before making any changes to the building.

Commissioner Kuka moved and Commissioner Hoppes seconded to approve PMCs plans for remodeling. Motion carried.

Also in attendance was Cynthia Johnson, Pondera Regional Port Authority, Sarah Converse, Sweetgrass Development, Bill O’Leary, Pondera Medical Center, and Buck Traxler, Editor of the Independent Observer.

**CERTIFICATION FOR APPLICATION – APPROVED** – April 8, 2015

Pondera Regional Port Authority presented Commissioner with a MT Department of Commerce State Community Development Block Grant Non- Competitive Housing Rehabilitation Certification For Application.

Commissioner Kuka moved to approve and submit the Certificate, pending County Attorney Ries’ approval. Commissioner Hoppes seconded. Motion carried.

Also in attendance was Cynthia Johnson, Pondera Regional Port Authority, Sarah Converse, Sweetgrass Development, and Buck Traxler, Editor of the Independent Observer.

**REGIONAL PORT AUTHORITY/SWEETGRASS DEVELOPMENT ASSISTANCE IN SECURING FUNDING FOR COURTHOUSE HVAC SYSTEM REPLACEMENT – DISCUSSED** – April 8, 2015

Cynthia Johnson and Sarah Converse were in attendance to discuss funding opportunities to assist the county in replacing the courthouse HVAC system. The Port Authority and Sweetgrass Development offered to assist the county in securing a Rural Economic Development Grant (called Rural Economic Development Loan And Grant, or REDLAG) and loan at a 0% interest rate. A cooperative must act as a sponsor of the loan and 3 Rivers has agreed to present the proposal to their Board of Directors at their meeting on April 27th.

With the program, once the county has re-paid funds, the money 3 Rivers Cooperative would have the money to create a revolving loan fund for other economic development projects.



- 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 dispose of metal desk

ADOPTED this 8<sup>th</sup> day of April, 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

/s/ Sandra J Broesder  
Sandra J Broesder, Chairman

/s/ Janice Hoppes  
Janice Hoppes, Member

ATTEST:

/s/ Thomas A Kuka  
Thomas A Kuka, Member

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

DATE, TIME AND PLACE SET FOR PUBLIC HEARING ON NEW OR EXPANDING INDUSTRY CLASSIFICATION APPLICATION – April 8, 2015

A New or Expanding Industry Classification Application was received from Gary L. Brown for tax relief allowed to new or expanding industries. On January 6<sup>th</sup>, 2015, fire destroyed the main office and shop building of Big Sky Equipment Co. The existing structure has been torn down and removed and it is the intent to rebuild on a site just north of the existing concrete slab. Commissioner Hoppes moved and Commissioner Kuka seconded to set Wednesday, May 6<sup>th</sup>, 2015 at 10:00 a.m. in the Commissioners' Office as the date time and place for a public hearing on the Application. Motion carried.

Also attending was Buck Traxler, Editor of The Independent

RESOLUTION FOR SPECIAL 50<sup>TH</sup> ANNIVERSARY OF COMMUNITY ACTION PROCLAMATION – ADOPTED – April 22, 2015

PONDERA COUNTY MONTANA  
RESOLUTION # 32 - 2014/15

**Special 50<sup>th</sup> Anniversary of Community Action PROCLAMATION**

**WHEREAS**, Community Action Agencies were created when the Economic Opportunity Act of 1964 was signed into law; and

**WHEREAS**, Community Action Agencies have a 50-year history of promoting self-sufficiency for limited income citizens; and

**WHEREAS**, Community Action Agencies have made an essential contribution to individuals and families in Pondera County by providing them with innovative and cost-effective programs; and

**WHEREAS**, citizens with limited income continue to need opportunities to improve their lives and their living conditions, thus ensuring that all citizens are able to live with dignity; and

**WHEREAS**, Opportunities, Inc. acts as our local Community Action Agency, administering critical programs such as home weatherization services, utility assistance, housing assistance, youth employment services, and the Head Start Program, in collaboration with local social service agencies; and

**WHEREAS**, Pondera County and the entire United States must continue to promote economic security by providing support and opportunities for all citizens in need of assistance;

**In honor of the 50<sup>th</sup> Anniversary of Community Action and of Opportunities, Inc.,  
April 2015**

**NOW, THEREFORE,** We the Commissioners of Pondera County Montana do hereby Proclaim May 2015 as

**COMMUNITY ACTION MONTH**

in special recognition of the hard work and dedication of Pondera County's Community Action Agency, Opportunities, Inc., and the dozens of local social services agencies that similarly serve our community.

Adopted this 22nd day of April, 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

/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

Also in attendance was Russ and Leslyn Skillings, and Buck Traxler, Editor of the Independent Observer.

APPROVAL OF EMPLOYEE USE OF FAMILY MEDICAL LEAVE ACT – April 22, 2015

Commissioner Hoppes moved and Commissioner Kuka seconded to approve time off in accordance with the Family Medical Leave Act for Robert T Leonard. Motion carried.

Also in attendance was Buck Traxler, Editor of The Independent Observer.

MARCH MINUTES APPROVED - April 22, 2015

Commissioner Hoppes moved and Commissioner Kuka seconded to approve the Commission Minutes for March 2015. Motion carried.

Also in attendance was Buck Traxler, Editor of The Independent Observer.

APPOINTMENT OF AMBER SCHOENROCK AS COUNTY JUSTICE OF THE PEACE TO COMPLETE THE UNEXPIRED TERM (2 YEARS) OF AUDREY BROWN – April 22, 2015

Commissioners Broesder, Hoppes, and Kuka, County Attorney Mary Ann Ries, and Sheriff Carl Suta interviewed three candidates for the appointment of County Justice of the Peace to complete the unexpired term (2 years) of Audrey Brown.

Commissioner Kuka moved and Commissioner Hoppes seconded to appoint Amber Schoenrock to complete the unexpired term of Justice of the Peace. Motion carried. The position was offered to and accepted by Amber Schoenrock.

RIGHT-OF-WAY FORAGE REMOVAL AGREEMENT APPROVED – April 29, 2015

Commissioner Kuka moved to approve the Right-Of-Way Forage Removal Agreement requested by Ronald & Darlene Denney for the north and south sides of Pondera Coulee Road between Price Road and Moulton School Road; pending Pondera County Weed Supervisor's approval. Commissioner Hoppes seconded. Motion carried. Also attending was Buck Traxler, Editor of the Independent Observer.

RIGHT-OF-WAY FORAGE REMOVAL AGREEMENT APPROVED – April 29, 2015

Commissioner Kuka 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.

FOURTH DRAWDOWN FOR MONTANA BOARD OF INVESTMENTS INTERCAP LOAN APPROVED – April 29, 2015

Commissioner Hoppes moved to approve drawdown #4 for the Montana Board of Investments Intercap Loan for PMC Refinancing & Equipment Purchases in the amount

of \$33,061.74 for the purpose of purchasing computer software required to be in compliance with Affordable Care Act regulations. Commissioner Kuka seconded. Motion carried.

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

CENTER FOR MENTAL HEALTH DESIGNATED PROVIDER OF SERVICES FOR ALCOHOL REHABILITATION- April 29, 2015

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 Kuka seconded. Motion carried.

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

TREASURER'S SECURITIES – April 29, 2015

April 28, 2015

Pondera County Commissioners

20 4<sup>th</sup> Ave SW

Conrad, MT 59425

Dear Commissioners,

The following are the investments as of March 31, 2015

STIP \$2338.05 @ .1410608%

STOCKMAN BANK BALANCES \$5,900,711.58

STOCKMAN BANK –Collateral Report

3134G4YH5 \$6,895,000.00 FHLMC 2000783 .73% Matures 09/27/16  
 3133EDXT4 \$6,000,000.00 FFCB 2000819 .84% Matures 04/17/17

RBC WEALTH

3134G3US7 180,000.00 1.100% Due 05/22/2017  
 02587DTY4 200,000.00 2.100% Due 09/26/2018 (CD)  
 06740KHNO 250,000.00 1.700% Due 07/30/2018 (step up)  
 3130A3ZC1 250,000.00 1.25% Due 02/26/2020

RAYMOND JAMES

795450QY4 \$250,000.00 1.3000% Due 10/31/2016 (CD)  
 3130A1F29 \$300000.00 1.000% Due 04/16/2019 (step up)  
 05573JVV3 \$250,000.00 1.000% Due 02/25/2019 (step up)  
 38147JL42 \$200,000.00 2.05% Due 6/25/2019 (CD)  
 06740KHS9 \$250,000.00 2.1000% Due 08/13/2019 (CD)  
 3130A3UV4 \$300,000.00 1.250% Due 1/30/2020 (step up)

INDEPENDENCE BANK

CDARS 1017158925 Maturity 10/15/15 .6479% 3,500,000.00  
 CDARS 1017339202 Maturity 12/10/15 .49876%  
 500,000.00  
 CDARS 1017430765 Maturity 01/07/16 .49876% 500,000.00  
 CDARS 1017545422 Maturity 02/11/16 .49876%  
 500,000.00

Jeanne Moon, Treasurer

CLAIMS APPROVED FOR PAYMENT - April 30, 2015

| <i>FUND</i> | <i>AMOUNT</i> |
|-------------|---------------|
| GENERAL     | \$ 29,621.03  |
| ROAD        | 14,553.79     |
| BRIDGE      | 4,693.76      |
| WEED        | 2,035.33      |
| AIRPORT     | 3,064.95      |

|  |                          |
|--|--------------------------|
| PREDATORY ANIMAL                         |                          |
| COMPREHENSIVE INSURANCE                  |                          |
| AMBULANCE                                | 1,413.47                 |
| LIBRARY                                  |                          |
| COUNTY HOSPITAL & NURSING HOME           |                          |
| EXTENSION SERVICE                        | 3,359.02                 |
| SENIOR CITIZENS                          |                          |
| COUNTY FAIR                              |                          |
| PUBLIC SAFETY (LAW ENFORCEMENT)          | 11,170.54                |
| HEALTH INSURANCE - EMPLOYER CONTRIBUTION | 2,170.82                 |
| DRUG FORFEITURE                          |                          |
| RECORDS PRESERVATION                     |                          |
| BRADY LIGHTS MAINTENANCE                 | 344.35                   |
| 911 EMERGENCY                            | 851.61                   |
| LAND USE PLANNING                        | 1,989.50                 |
| GAS APPORTIONMENT TAX                    |                          |
| NORTHERN TRANSIT INTERLOCAL              | 72.26                    |
| STATE ALLOCATED FEDERAL MINERAL          |                          |
| VICTIM & WITNESS ADVOCATE                | 423.12                   |
| NEIGHBORHOOD STABIL. GRANT               |                          |
| DUI PREVENTION                           |                          |
| BUCKLE UP MT                             | 944.12                   |
| NOXIOUS WEED GRANT                       | 247.57                   |
| EMERGENCY PREPAREDNESS GRANT             | 12,137.25                |
| PERFORMANCE MGT GRANT                    | 85.59                    |
| HEALTHY CHILD (LEAD POISONING) GRANT     |                          |
| BREAST & CERVICAL SCREENING              | 40.50                    |
| IMMUNIZATION BILLING GRANT               |                          |
| WIC GRANT                                | 197.87                   |
| MATERNAL CHILD HEALTH                    | 90.77                    |
| IMMUNIZATION ACTION PROGRAM              | 177.85                   |
| TOBACCO USE PREVENTION GRANT             | 309.29                   |
| NAPA GRANT                               | 86.60                    |
| JUNK VEHICLE GRANT                       |                          |
| HOSPITAL DEBT SERVICE 95                 |                          |
| GENERAL FUND CAPITAL IMPROV              | 15,512.96                |
| ROAD/BRIDGE EQUIP PURCHASE               |                          |
| PUBLIC SAFETY CAP IMPROV                 | 6,365.71                 |
| REFUND FUND                              | 2,643.69                 |
| PAYROLL FUND                             |                          |
| <br>                                     |                          |
| TOTAL CLAIMS                             | \$ 114,603.32            |
| TOTAL PAYROLL                            | <u>207,817.05</u>        |
| TOTAL CLAIMS AND PAYROLL FUNDS           | <u><u>322,420.37</u></u> |

**ADJOURNMENT**

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

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Sandra J Broesder, Chairman

ATTEST:

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Kody Farkell, Clerk & Recorder