

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

The Board of Pondera County Commissioners met daily in informal session and in scheduled meetings on February 4, 11, 18, 25, 2015. Unless indicated, all Commissioners were present.

MEMORANDUM OF UNDERSTANDING - COOPERATING AGENCY WITH ROCKY MOUNTAIN FRONT WEEDTABLE (RMFWR) – February 4, 2015

The RMFWR has requested Pondera County's participation as a cooperating agency with them in regards to the education, prevention, and control of noxious weeds in the Rocky Mountain Front area.

Commissioner Hoppes moved for Pondera County to become a cooperator with the RMFWR in educating the public about, preventing, and controlling noxious weeds in the Rocky Mountain Front area. Commissioner Kuka seconded the motion. Motion carried.

Also attending: John Stokes, Pondera County Road Supervisor and Buck Traxler, Editor of The Independent Observer.

PRELIMINARY FIELD REVIEW REPORT/SCOPE OF WORK FOR VALIER HIGHWAY REPAIR – APPROVED – February 4, 2015

The Montana Department of Transportation (MDT) submitted a Preliminary Review/Scope of Work for resurfacing of the Valier Highway from the Valier city limits to the Valier Interchange overpass on Interstate 15 (approximately 14.1 miles). The project is scheduled for 2016.

Commissioner Hoppes moved to accept the Preliminary Review/Scope of Work provided by MDT for the Valier Highway Project. Motion carried.

Also attending: John Stokes, Pondera County Road Supervisor and Buck Traxler, Editor of The Independent Observer.

BID ACCEPTED FOR PURCHASE OF TWO TRACTORS – February 4, 2015

Commissioner Kuka moved to approve the purchase bid of Frontline Ag for the purchase of two tractors for the Road Department. Commissioners Hoppes seconded. Motion carried.

Also attending: John Stokes, Pondera County Road Supervisor and Buck Traxler, Editor of The Independent Observer.

RESOLUTION TO UPDATE SHERIFF CIVIL FEES – ADOPTED – February 4, 2015

**PONDERA COUNTY, MONTANA
RESOLUTION NO. 24 – 2014/15
UPDATE SHERIFF CIVIL FEES**

WHEREAS, Section 7-32-2141, MCA, states that "the sheriff shall receive the (civil) fees, if any, set by the governing body for services provided by the Sheriff department.

WHEREAS, the last time civil fees by the Sheriff Department was increased was in 2000 and the cost of providing services has increased since that time.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pondera County that the following schedule of fees be used for Civil Fees by the Pondera County Sheriff Department:

1. Summons & complaint on Petition: \$50.00 per person or business and per each location.
2. Subpoena: \$50.00 for each witness (No charge for Courts)
3. Small Claims: \$50.00 for each person or business per each location
4. Court Order, Notice, Rule, Letter, etc: \$50.00 for each person or business and per each location
5. Posting Notices: \$50.00 per notice per location (exception: posting a set of Notices of Sheriff's Sale; they are included in Sheriff Sales fees)
6. For returning a document at the request of plaintiff or plaintiff's attorney after processing without service: \$50.00 for each case or pre-paid amount, whichever is greater
7. Writ of Execution and Attachment: \$75.00 for each financial institution or business and per each location, this includes postage, mileage, paperwork; plus \$50.00 per defendant
8. Writ of Assistance: \$50.00 for service on each person by service or posting
9. Sheriff's Sale: \$150.00 (includes preparing advertising, issuing certificates of sale, service fees, filing fees, publication casts, posting and other outside costs incurred). This is non-refundable, even if the Sale is postponed or negated.
10. Notary Fee: \$5.00 per Notary (Sheriff office business only)

Adopted this 4th day of February, 2015 as moved by Commissioner Kuka, seconded by Commissioner Hoppes, and passed on a 3-0 vote of the full board. Effective March 1, 2015.

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

DATE, TIME AND PLACE SET FOR PUBLIC HEARING OF PONDERA REGIONAL PORT AUTHORITY'S USE OF CDBG FUNDS – February 4, 2015

Commissioner Hoppes moved to set Wednesday February 25 at 10:00 a.m. in the Commissioners' office as the date, time and place for a public hearing on the Pondera Regional Port Authority's proposed use of CDBG funds for Housing Projects. Commissioner Kuka seconded. Motion carried.

Also attending: John Stokes, Pondera County Road Supervisor and Buck Traxler, Editor of The Independent Observer.

TREASURER'S SECURITIES REPORT – February 4, 2015

January 23, 2015
Pondera County Commissioners
20 4th Ave SW
Conrad, MT 59425

Dear Commissioners,

The following are the investments as of December. 31, 2014

STIP \$2338.05 @ .1141293%

STOCKMAN BANK BALANCES \$8,039509.42

STOCKMAN BANK –Collateral Report

3134G4YH5 \$6,895,000.00 FNMA 2000783 .73% Matures 09/27/16
313381YP4 \$6,000,000.00 FHLB 2000687 .25% Matures 02/20/15

RBC WEALTH

313383HN4 450,000.00 1.125% Due 06/27/2018 (FULL CALL 12-27) In MM
3134G3US7 180,000.00 1.100% Due 05/22/2017
02587DTY4 200,000.00 2.100% Due 09/26/2018 (CD)
06740KHN0 250,000.00 1.700% Due 07/30/2018 (step up)
3130A2LP9 250,000.00 1.375% Due 07/30/2019 (Step up)

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)

INDEPENDENCE BANK

CDARS 1017158925 Maturity 10/15/15 3,500,000.00
CDARS 1017339202 Maturity 12/10/15 500,000.00

Please include this information in the minutes. Thank You.

Kristi Robertson, Treasurer

NO MEETING WAS HELD FEBRUARY 11, 2015 AS ALL COMMISSIONERS WERE ATTENDING MACO MID-WINTER MEETING

RESOLUTION AUTHORIZING BUDGET AMENDMENTS TO PONDERA COUNTY BUDGET - February 18, 2015

**PONDERA COUNTY MONTANA
RESOLUTION #25 - 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	Description	Prior Amount	New Amount
2235-402-440210-946	Medical Equipment	\$312,820	\$296,820
2235-402-490510-617	Principal-PMC Debt	\$ 62,724	\$ 78,324
2235-402-490510-627	Interest-PMC Debt	\$ 2,713	\$ 3,113
Expenditure	Description	Prior Amount	New Amount
1000-112-490501-610	Principal – Sr Center Debt	\$15,790	\$16,400
Expenditure	Description	Prior Amount	New Amount
2973-406-440191-210	Supplies & Materials	\$4,175	\$3,990
2973-406-440191-311	Postage	\$ 0	\$ 50
2973-406-440191-345	Telephone	\$ 0	\$ 135
Revenue	Description	Prior Amount	New Amount
2830-335070	Junk Vehicle Assessment	\$8,394	\$ 408
Expenditure	Description	Prior Amount	New Amount
2830-308-430801-397	Contract Payments	\$10,679	\$2,694
Expenditure	Description	Prior Amount	New Amount
1000-112-411241-350	Brady Fire Hall Water Line	\$0	\$5,000

Adopted this 18th day of February, 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

RESOLUTION AUTHORIZING PROSECUTORIAL ASSISTANCE IN DISTRICT AND JUSTICE COURT CASES – February 18, 2015

PONDERA COUNTY MONTANA
RESOLUTION #26– 2014/15
AUTHORIZING PROSECUTORIAL ASSISTANCE
IN DISTRICT AND JUSTICE COURT CASES

WHEREAS, it is desired and deemed appropriate that a special deputy county attorney be appointed to assist in the prosecution of any matters that might arise from the absence and/or recusal of cases by the Pondera County Attorney; and

WHEREAS, Mont. Code Ann. Section 7-4-2705 authorizes the board of county commissioners to employ special counsel to assist in the prosecution of any such criminal case pending in the county on request of the county attorney; and

WHEREAS, the Pondera County Attorney has requested that a special deputy county attorney be appointed to prosecute any matters that might arise in her absence or recusal in the Ninth Judicial District Court, Pondera County, and the Pondera County Justice Court; and

WHEREAS, Joe Coble, Teton County Attorney, has agreed to act as a Special Deputy Pondera

County Attorney in the event of the Pondera County Attorney's absence or recusal;

THEREFORE, IT IS HEREBY RESOLVED:

That the Teton County Attorney, Joe Coble, shall be appointed as special deputy county attorney for Pondera County for the purpose of assisting in the prosecution of any matters that might arise due to the absence and/or recusal of cases by the Pondera County Attorney and that he can fulfill the functions set out in Mont. Code Ann. Section 44-4-103.

IT IS FURTHER RESOLVED:

That under the terms of this agreement, no fee will be charged for attorney time provided by the special prosecutor, however, mileage shall be paid to him for any travel expenses incurred during the prosecution of these cases at the rate annually established for mileage reimbursement by the Pondera County Commissioners. Witness fees and expense, jury costs, and other normal costs associated with the trial will be the county's responsibility as with all other prosecutions.

Adopted this 18th day of February, 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

TWELFTH DRAWDOWN FOR BRADY COUNTY WATER & SEWER DISTRICT CDBG APPROVED – February 18, 2015

Commissioner Hoppes moved to approve the final Drawdown, Draw #12, on the Community Development Block Grant (CDBG) #MT-CDBG-11PF-07 for the Brady County Water & Sewer District in the amount of \$9,000. Commissioner Kuka seconded. Motion carried.
Also attending: Buck Traxler, Editor of The Independent Observer.

HEARING CONDUCTED ON PROPOSED USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS BY PORT AUTHORITY – February 25, 2015

Attending: Commissioner Broesder, Hoppes, and Kuka, Clerk and Recorder Farkell, Cheryl Curry and Cynthia Johnson, Pondera Regional Port Authority, Sarah Converse, Sweetgrass Development, Sanitarian Corrine Rose, Tom Russett, Triangle Engineering, and Buck Traxler, Editor of The Independent-Observer.

The notice of the hearing was published in The Independent-Observer and The Valierian in the February 11 and 18, 2015 issues.

Cynthia Johnson reported that the Port Authority has turned in an application through the CDBG non-competitive housing rehabilitation program. The application includes use of CDBG funds for clean-up of blighted, or deteriorating, properties. Funds will allow for clean up and repair of an existing home or clean-up and building of a new home on the property. The target income range for applicants is those within 125% of the poverty income level. The Port Authority is currently waiting on final approval from the State.

Johnson noted that Pondera County is in the minority state and nationwide for taking advantage of the CDBG funds for housing rehabilitation.

There were no questions, comments, or objections by the public.
There being no further comments to come before the hearing, hearing closed at 10:15 a.m.

SWEETGRASS DEVELOPMENT UPDATE – February 25, 2015

Sarah Converse was in attendance to give a report on Sweetgrass Development's recent events. March 3 there will be a meeting for the Vibrant Futures program followed by a Sweetgrass Development meeting in Great Falls, which will include a legislative update. The Sweetgrass Development annual meeting is scheduled for June.

Also attending: Sarah Converse, Sweetgrass Development, Tom Russett, Triangle Engineering, Corrine Rose, County Sanitarian, and Buck Traxler, Editor of The Independent Observer.

HARTSELL RANCH MINOR SUBDIVISION PRELIMINARY PLAT APPROVED – February 25, 2015

COUNTY OF PONDERA
 OFFICE of COUNTY COMMISSIONERS
 20 4th Ave SW, Conrad, Montana 59425
 406-271-4010 FAX 406-271-4070
 Chair, Sandra J. Broesder Janice Hoppes Thomas A Kuka

February 25th, 2015

Hartsell Ranch
 6313 Valier-Cut Bank Hwy
 Valier, MT 59486

RE: Preliminary conditional approval of the Hartsell Ranch Minor Subdivision

Dear Hartsell Ranch Inc:

On February 25, 2015 the Board of the Pondera County Commissioners voted to grant preliminary conditional approval to the Hartsell Ranch Minor Subdivision. The subdivision creates one residential lots consisting of 17.54 acres divided from a tract of land in the S1/2 SE 1/4, Section 13, Township 30 North, Range 6 West, Pondera County, MT.

This preliminary approval is subject to the conditions listed below. The conditions are based on the Commission's findings of fact (enclosed). After each condition in parentheses are the regulations and statutes that were used as a basis for the imposition of the condition. An explanation of how the regulations and statutes apply to the decision is given in the findings of fact that accompany this conditional preliminary approval. The findings of fact provide the facts and conclusions that the County Commission relied upon in making its decision.

Prior to the final plat being granted approval, documentation is required to demonstrate all of the conditions have been met.

CONDITIONS

1. The final plat and plans shall be in substantial compliance with the preliminary plat and plans reviewed and approved by the governing body, except as modified by these conditions. [*Pondera County Subdivision Regulations (PCSR) II-B-1*]
2. The final plat and supplements shall comply with the Uniform Standards for Final Subdivision Plats and shall be reviewed by Pondera County's Examining Land Surveyor and Subdivision Administrator prior to final approval. [*PCSR II-B-2, MCA 76-3-402 and MCA 76-3-611*]
3. Prior to filing of the final plat, the subdivider shall:
 - a. Provide proof that all real property taxes and special assessments assessed and levied on the property are paid for the current tax year; including any past delinquencies; [*MCA 76-3-611(1)(b)*] and,

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- b. Provide a certificate of a title abstracter showing the subdivider is the lawful owner of the property with the apparent authority to subdivide the same, and showing the names and written consent of lien holders or claimants of record. [*MCA 76-3-612*,]
4. The approval period for the preliminary plat is three years. All conditions of preliminary approval shall be met within three years or the preliminary plat approval is null and void. The final subdivision plat must be filed and recorded with the Pondera County Clerk and Recorder within the three year approval period. [*PCSR III-A-6(f)*]
5. The final plat shall include an exemption from DEQ signed by the Pondera County Sanitarian. [*PCSR VI-(a)*]
6. All driveways shall be shown on the final plat. [*PCSR VI-H(a)*] and *MCA 76-3-608(8)(a), effect on public health and safety*]

Sincerely,
 Pondera County Commission



Sandra J. Broesder, Chair

State law requires the local government to provide information to the subdivider regarding the appeal process for the conditions imposed. Under 76-3-625 MCA: "A person who has filed with the governing body an application for subdivision under this chapter may bring an action in district court to sue the governing body to recover actual damages caused by a final action, decision, or order of the governing body or a regulation pursuant to this chapter that is arbitrary or capricious. A party who is aggrieved by a decision of the governing body to approve, conditionally approve, or deny an application and preliminary plat for a proposed subdivision for a final subdivision plat may, within thirty (30) days from the date of the written decision, appeal to the district court in the county in which the property involved is located. The petition must specify the grounds upon which the appeal is made."

Copy:
 Corrine Rose, County Sanitarian 311 South Virginia Suite 1, Conrad, MT 59425
 Molly Hirschi, Subdivision Administrator PO Box 836, Conrad, MT 59425
 Tom Russett, Triangle Engineering 19 4th Ave SW #1, Conrad, MT 59425

Enclosed:
 Findings of Fact

Page 2 of 2

B) Findings based on Relevant Review Criteria (Sections III-A-4 and III-A-6)

1) Compliance with the 2013 Subdivision Regulations and 76-3-608(3)(b)(ii) MCA

The commission has found that the application is in substantial compliance with the 2013 Pondera County Subdivision Regulations.

2) Compliance with applicable zoning regulations.
The subject property is not located within a zoned area.

3) Compliance with the Montana Subdivision and Platting Act, including but not limited to 76-3-608(3)(a), as delineated in Section III-A-6 of the Subdivision Regulations.

(a) Impact on Agriculture

The commission has determined that there will be little to no effect on agriculture due to the location of the subject property.

(b) Impact on Agriculture Water User Facilities

The commission has determined that there will be little to no effect on water user facilities.

(c) Impact on Local Services

Conclusion 1. The commission has determined that there is an existing home currently on the property and postal delivery status will remain the same.

Conclusion 2. The commission has found that impacts to local services from addressing can be mitigated by verifying the address of the current structure.

Conclusion 3. The commission has found that impacts to solid waste collection are mitigated by the property being exempt from DEQ review as confirmed by the County Sanitarian.

Conclusion 4. The commission has found that impacts to utilities can be mitigated by the applicant providing documentation that the utilities have been previously installed.

Conclusion 5. The commission has determined that there is an existing home currently on the property and the impacts to education remain the same.

FINDINGS OF FACT
Hartsell Ranch Minor Subdivision

(d) Impact on the Natural Environment

Conclusion 6. The commission has found that impacts to the natural environment from weeds and ground water contamination are not present at this time due to there being no new development on the property.

(e) Impacts on Wildlife and Habitat

Conclusion 7. The commission has found that impact on wildlife would be acceptable because the property is located in an area that is already somewhat developed and is highly farmed, and it is not located in an area known as a key wildlife area.

Conclusion 8. The commission has found that impact on wildlife habitat would be acceptable because the property is located in an area that already has development and is highly farmed.

(f) Impact on Public Health and Safety

Conclusion 9. The commission has found that there are no significant impacts on public health and safety as the subject property has an existing home with an installed driveway and no new development is proposed.

4) Compliance with the Montana Subdivision and Platting Act, including but not limited to 76-3-608(3)(b)

(a) Compliance with survey requirements

Conclusion 10. The commission has found that the proposal will be in compliance with the Uniform Standards for Final Subdivision Plats because the County's Examining Land Surveyor and the Subdivision Administrator will review the final plat prior to approval.

(b) Compliance with the subdivision review procedure of the Pondera County Subdivision Regulations

Conclusion 11. The commission has found that preliminary plat has met all procedural requirements and if approved, would be valid for three years from the date of approval.

5) Prerequisites to Approval (Sections III-A-6 of the subdivision regulations) and compliance with the Montana Subdivision and Platting Act, including but not limited to 76-3-608(3)(c) and (d)

FINDINGS OF FACT
Hartsell Ranch Minor Subdivision

The governing body may not approve or conditionally approve a subdivision application and preliminary plat unless the proposed subdivision:

- (a) **Provides easements for the location and installation of any planned utilities, both on and off site.**
The commission has determined that there are no planned utilities, either on or off site.

- (b) **Provides legal and physical access to each parcel within the subdivision and the notation of that access on the applicable plat and any instrument transferring the parcel.**

Conclusion 12. The final plat should show all access from the subject tract onto Route 358 (Valier-Cut Bank Hwy).

- (c) **Assures that all required public or private improvements would be installed before final plat approval, or that their installation after final plat approval would be guaranteed as provided by Section II-B-4 of the Subdivision Regulations.**

The commission has determined that there will be no public or private

- (d) **Assures that the requirements of 76-3-504(1)(j), MCA, regarding the disclosure and disposition of water rights as set forth in Section VI-O of the Subdivision Regulations have been considered and would be accomplished before the final plat is submitted.**

The commission has determined that there are no known water rights existing on the property.

- (e) **Assures that the requirements of 76-3-504(1)(k) regarding watercourse and irrigation easements as set forth in Section VI-N have been considered and would be accomplished before the final plat is submitted.**

The commission has determined that the requirements of 76-3-504 (1)(k) are accomplished.

FINDINGS OF FACT
Hartsell Ranch Minor Subdivision

SUMMARY OF CONCLUSIONS

This summary is a list of the findings identified and made in accordance with 76-3-608 MCA. The summary is the basis for the recommendation and recommended conditions of final plat approval in accordance with 76-3-608(4) MCA.

Conclusion 1. The impacts to local services from mail delivery can be mitigated by a letter from the USPS postmaster and meeting the USPS requirements.
Conclusion was waived by the commission

Conclusion 2. The impacts to local services from addressing can be mitigated by verifying the address of the current structure.

Addressing was verified by the commission through Emergency Services.

Conclusion 3. The impacts to solid waste collection are mitigated by the subject tract being exempt from DEQ.

Exemption through County Sanitarian

Conclusion 4. The impacts to utilities can be mitigated by the applicant submitting documentation that the property has existing utilities installed.

Conclusion waived by the commission

Conclusion 5. The impacts to education can be mitigated by the applicant receiving a letter from the Valier School and the applicant meeting their portion of any requirements set forth by the school, if any.

Conclusion waived by the commission

Conclusion 6. The impacts to the natural environment from weeds and ground water contamination are not present at this time due to there being no new development on the property.

Conclusion 7. The impact on wildlife would be acceptable because the property is located in an area that is already somewhat developed and is highly farmed, and it is not located in an area known as a key wildlife area.

Conclusion 8. The impact on wildlife habitat would be acceptable because the subdivision is located in an area that already has development and is highly farmed.

Conclusion 9. There are no significant impacts on public health and safety as the subject tract has an existing home with an installed driveway and no new development is proposed.

Conclusion 10. The proposal would be in compliance with the Uniform Standards for Final Subdivision Plats because the County's Examining Land Surveyor and the Subdivision Administrator would review the final plat prior

FINDINGS OF FACT
Hartsell Ranch Minor Subdivision

to approval.

Conclusion 11. The preliminary plat has met all procedural requirements and if approved, would be valid for three years from the date of approval.

Conclusion 12. The final plat should show all access from the subject tract onto Route 358 (Valier-Cut Bank Hwy)

Conclusion 13. Clarify part B, number 2 of the Subdivision Guarantee performed for this subdivision, which reads "Exceptions and Reservations contained in Warranty Deed executed by The Valier-Montana Land & Water Company, a Montana corporation, recorded July 23, 1934 in Book 14 of Deeds, page 192 upon final plat review submittal

Statement has been clarified in the Guarantee.

The Commission found the preliminary plat application mitigated all impact on the primary review criteria of the Montana Subdivision and Platting Act, with suggested conditions. They also found the proposed subdivision complied with the design standards of the Pondera County Subdivision Regulations.

Commissioner Hoppes moved to approve the preliminary subdivision of the Hartsell Ranch Minor Subdivision. Final approval will be scheduled for March 4, 2015. Commissioner Kuka seconded. Motion carried

ORDER

IT IS HEREBY ORDERED that the preliminary plat for the Hartsell Ranch Minor Subdivision is approved, subject to the conditions listed below. Final plat approval shall be contingent upon completion and compliance with these conditions:

1. The final plat and plans shall be in substantial compliance with the preliminary plat and plans reviewed and approved by the governing body, except as modified by these conditions. [Pondera County Subdivision Regulations (PCSR) II-B-1]
2. The final plat and supplements shall comply with the Uniform Standards for Final Subdivision Plats and shall be reviewed by Pondera County's Examining Land Surveyor and Subdivision Administrator prior to final approval. [PCSR II-B-2, MCA 76-3-402 and MCA 76-3-611]
3. Prior to filing of the final plat, the subdivider shall:
 - a. Provide proof that all real property taxes and special assessments assessed and levied on the property are paid for the current tax year; including any past delinquencies; [MCA 76-3-611(1)(b.) and,
 - b. Provide a certificate of a title abstracter showing the subdivider is the

FINDINGS OF FACT
Hartsell Ranch Minor Subdivision

lawful owner of the property with the apparent authority to subdivide the same, and showing the names and written consent of lien holders or claimants of record. [MCA 76-3-612,]

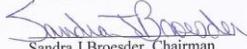
4. The approval period for the preliminary plat is three years. All conditions of preliminary approval shall be met within three years or the preliminary plat approval is null and void. The final subdivision plat must be filed and recorded with the Pondera County Clerk and Recorder within the three year approval period. [PCSR III-A-6(f)]
5. The final plat shall include an exemption from DEQ signed by the Pondera County Sanitarian. [PCSR VI-I(a)]
6. The final plat shall include an exemption from DEQ signed by the Pondera County Sanitarian. [PCSR VI-L]
7. All driveways shall be shown on the final plat. [PCSR VI-H(a.) and MCA 76-3-608(8)(a), effect on public health and safety]

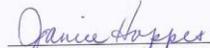
Preliminary plat approval of the Hartsell Ranch Minor Subdivision shall be in force for three (3) calendar years. The governing body may, however, extend its approval for a period of more than three years if that approval period is included as a specific condition of a written subdivision improvements agreement between the governing body and the subdivider (Section II.C.4).

A party, as defined by 76-3-625 M.C.A., who is aggrieved by a decision of the Commission may, within thirty (30) days after this decision, appeal to the Pondera County district court.

DATED this 25th day of February, 2015.

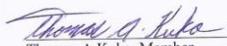
PONDERA COUNTY COMMISSION


Sandra J Broesder, Chairman


Janice Hoppes, Member

Attest:


Kody L Farkell, Clerk & Recorder


Thomas A Kuka, Member

FINDINGS OF FACT
Hartsell Ranch Minor Subdivision

APPROVAL OF RECORDS DISPOSAL REQUEST BY CLERK & RECORDER OFFICE AND TREASURER OFFICE – February 25, 2015

Commissioner Kuka moved to approve the records disposal requests submitted by the Clerk & Recorder office as well as the Treasurer office. Commissioner Hoppes seconded. Motion carried.

The requests will be forwarded to the Department of Administration for state approval. Also attending: Sarah Converse, Sweetgrass Development, Tom Russett, Triangle Engineering, Corrine Rose, County Sanitarian, and Buck Traxler, Editor of The Independent Observer.

ELECTION TO RURAL FIRE DISTRICT – March 25, 2015

The Rural Fire District Board members are elected to their positions. Montana law provides that if the number of candidates is equal to or less than the number of positions to be elected, the election administrator may cancel the election. In such case, the county governing body shall declare elected by acclamation each candidate who filed a nominating petition for a position. If a nomination is not made for one or more trustee offices, the county governing body shall appoint one or more trustees as necessary to fill those offices. A trustee taking office pursuant to this subsection serves the trustee term of office as if that trustee had been elected. Keith Hruska and Herman E Boumans each filed a Petition for Nomination. In accordance with Montana statute, Commissioner Hoppes moved to declare Hruska and Boumans elected by acclamation, for a term of three years. Commissioner Kuka seconded. Motion carried.

Also attending: Sarah Converse, Sweetgrass Development, Tom Russett, Triangle Engineering, Corrine Rose, County Sanitarian, and Buck Traxler, Editor of The Independent Observer.

CLAIMS APPROVED FOR PAYMENT – February 28, 2015

<i>FUND</i>	<i>AMOUNT</i>
GENERAL	\$ 29,698.06
ROAD	13,842.36
BRIDGE	3,976.49
WEED	1,552.80
AIRPORT	5,886.58
PREDATORY ANIMAL	223.22
COMPREHENSIVE INSURANCE	
AMBULANCE	
LIBRARY	
COUNTY HOSPITAL & NURSING HOME	
EXTENSION SERVICE	3,412.36
SENIOR CITIZENS	
COUNTY FAIR	
PUBLIC SAFETY (LAW ENFORCEMENT)	16,258.67
HEALTH INSURANCE - EMPLOYER CONTRIBUTION	770.82
DRUG FORFEITURE	459.40
RECORDS PRESERVATION	193.71
BRADY LIGHTS MAINTENANCE	343.67
911 EMERGENCY	4,174.75
LAND USE PLANNING	18,770.01
GAS APPORTIONMENT TAX	
NORTHERN TRANSIT INTERLOCAL	2,607.49
STATE ALLOCATED FEDERAL MINERAL	
VICTIM & WITNESS ADVOCATE	
NEIGHBORHOOD STABIL. GRANT	
DUI PREVENTION	
BUCKLE UP MT	101.76
NOXIOUS WEED GRANT	500.00
EMERGENCY PREPAREDNESS GRANT	1,589.98
PERFORMANCE MGT GRANT	100.77
HEALTHY CHILD (LEAD POISONING) GRANT	
BREAST & CERVICAL SCREENING	101.76
IMMUNIZATION BILLING GRANT	
WIC GRANT	165.08



MATERNAL CHILD HEALTH		75.96
IMMUNIZATION ACTION PROGRAM		258.61
TOBACCO USE PREVENTION GRANT		282.10
NAPA GRANT		94.95
JUNK VEHICLE GRANT		
HOSPITAL DEBT SERVICE 95		
GENERAL FUND CAPITAL IMPROV		4,440.75
ROAD/BRIDGE EQUIP PURCHASE		
PUBLIC SAFETY CAP IMPROV		
REFUND FUND		
PAYROLL FUND		
TOTAL CLAIMS	\$	109,882.11
TOTAL PAYROLL		<u>214,748.51</u>
TOTAL CLAIMS AND PAYROLL FUNDS		<u><u>324,630.62</u></u>

ADJOURNMENT

The meeting adjourned at 5:00 p.m. on February 28, 2015. Pondera County, Montana.

ATTEST:

Sandra J Broesder, Chairman

Kody Farkell, Clerk & Recorder