

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

The Board of Pondera County Commissioners met daily in informal session and in scheduled meetings on June 2, 10, 17, and 24, 2015. Unless indicated, all Commissioners were present.

**PURCHASE OF POLAR TRAILER FOR ROAD DEPARTMENT – APPROVED – June 2, 2015**

John Stokes, Road Department Supervisor, requested purchase of a Polar Trailer, to be paid from the Gas Tax fund, in the amount of \$24,500. The trailer is available to be purchased from Zomer Trucks.

Commissioner Hoppes moved and Commissioner Kuka moved to approve the purchase of a Polar Trailer for the Road Department, paid for from the Gas Tax fund. Motion carried.

**HYDROLOGY STUDIES FOR CULVERT/BRIDGE STUDIES – APPROVED – June 2, 2015**

John Stokes, Road Supervisor, requested \$6,000 for hydrological studies to determine culvert or bridge sizes on Front St, Amity Road, and Wingina Road.

Commissioner Hoppes moved and Commissioner Kuka seconded to approve \$6,000 for hydrological studies for culvert/bridge studies on Front St, Amity Road, and Wingina Rd with \$3,000 to be paid out of Road fund and half to be paid out of Bridge fund. Motion carried.

**FIFTH DRAWDOWN FOR MONTANA BOARD OF INVESTMENTS INTERCAP LOAN APPROVED – June 2, 2015**

Commissioner Kuka moved to approve drawdown #5 for the Montana Board of Investments Intercap Loan for PMC Refinancing & Equipment Purchases in the amount of \$32,954.97 for the purpose of purchasing a new MedGas system. Commissioner Hoppes seconded. Motion carried.

Also in attendance was John Stokes, Road Supervisor.

**ENCROACHMENT AGREEMENT APPROVED – June 2, 2015**

Commissioner Kuka moved and Commissioner Hoppes seconded to approve the Encroachment Agreement requested by Justin VanDyke to install an 18” culvert on the west side of Kelly Road, approximately 2,000 feet north of Sollid Road, for the purpose of moving farm equipment. Motion carried.

Also in attendance was John Stokes, Road Supervisor.

**BID OPENING FOR SALE OF 1997 FORD F-250 PICKUP – June 2, 2015**

One sealed bid was received for the 1997 Ford F-250 to be sold by the county. The bid was less than the minimum bid required, therefore, Commissioner Kuka moved and Commissioner Hoppes moved to reject the bid. Motion carried.

Also in attendance was John Stokes, Road Supervisor.

**DATE, TIME AND PLACE RE-SET FOR PUBLIC HEARING OF COUNTY COMPENSATION BOARD – June 2, 2015**

Due to numerous conflicts by Compensation Board members on June 16, Commissioner Kuka moved to cancel the Compensation Board meeting set for Tuesday, June 16, 2015 at 10:00 a.m. in the Commissioners’ office and set Wednesday, July 1, 2015 at 9:00 a.m. in the Commissioners’ office as the date, time and place for a public hearing of the County Compensation Board. Motion carried.

Also in attendance was John Stokes, Road Supervisor.

**TAX ABATEMENTS APPROVED: June 10, 2015**

Commissioner Kuka moved to approve tax abatements/cancellation #978.

<i>NUMBER</i>	<i>REASON</i>	<i>CANCEL</i>	<i>ADD</i>	<i>PARCEL #</i>
978	livestock not owned in Pondera Co. Data entry error	27.00		1032800

Commissioner Hoppes seconded. Motion carried.

Commissioner Broesder was absent on County business. Also in attendance was Buck Traxler, Editor of The Independent Observer.

MEMORANDUM OF UNDERSTANDING – PREDATOR CONTROL FUND – APPROVED – June 10, 2015

Commissioner Kuka moved to approve the Memorandum of Understanding with the Montana Wool Growers Association and Montana Stockgrowers Association. Ranchers are assessed \$.60 per head for the protection of sheep and \$.50 per head for the protection of cattle from destructive animals. Commissioner Hoppes seconded. Motion carried.

Commissioner Broesder was absent on County business. Also in attendance was Buck Traxler, Editor of The Independent Observer.

PURCHASE AGREEMENT FOR SPILLMAN NOVA SOFTWARE FOR SHERIFF DEPARTMENT – APPROVED – June 10, 2015

Commissioner Kuka moved to approve an agreement between Spillman Nova Services and the Pondera County Sheriff Department for a one (1) year subscription to the Spillman Nova Records Management software system for an amount of \$15,876.

The amount of the contract is 50% of the normal annual fee. The Sheriff Department will need to purchase a mapping program to use along with the Spillman Nova system.

Commissioner Hoppes seconded to approve the agreement. Motion carried.

Commissioner Broesder was absent on County business. Also in attendance was Buck Traxler, Editor of The Independent Observer.

DUI TASK FORCE PLAN APPROVED – June 10, 2015

Commissioner Kuka moved to approve the fiscal year 2015-16 DUI Task Force plan. Commissioner Hoppes seconded. Motion carried.

Commissioner Broesder was absent on County business. Also in attendance was Buck Traxler, Editor of The Independent Observer.

RESGINATION OF AIRPORT MANAGER, DAN BROWN ACCEPTED – June 10, 2015

Commissioner Kuka moved to accept the resignation of Airport Manager Dan Brown and to fill the position with Heath Elings. Commissioner Hoppes seconded. Motion carried.

Commissioner Broesder was absent on County business. Also in attendance was Buck Traxler, Editor of The Independent Observer.

TAX ABATEMENTS APPROVED - June 17, 2015

Commissioner Kuka moved to approve tax abatements/cancellation #979-981.

<i>NUMBER</i>	<i>REASON</i>	<i>CANCEL</i>	<i>ADD</i>	<i>PARCEL #</i>
979	Review of all personal property for this company statewide	\$16.12		1091031
980	Review of all personal property for this company statewide	\$7.71		1091034
981	Review of all personal property for this company statewide	\$6.27		1315900

Commissioner Hoppes seconded. Motion carried.

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

DEPARTMENT OF PUBLIC HEATH AND HUMAN SERVICES EMERGENCY PREPAREDNESS TASK ORDER APPROVED – June 17, 2015

Commissioner Kuka moved to approve the Task Order 16-07-6-11-038-0 for the Public Health Emergency Preparedness Grant. The County will receive \$37,499 for

federal fiscal year 2015-16 for emergency public health preparedness activities.

Commissioner Hoppes seconded. Motion carried.

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

RIGHT-OF-WAY FORAGE REMOVAL AGREEMENTS APPROVED – June 17, 2015

Commissioner Kuka moved to approve the Right-Of-Way Forage Removal Agreements requested by Midway Colony for the east and west sides of Healy Spring Road, adjacent to Midway Colony; pending Road Supervisor approval. Commissioner Kuka seconded. Motion carried.

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

DUST ABATEMENT APPLICATION APPROVED – June 17, 2015

Commissioner Kuka moved and Commissioner Hoppes seconded to approve the Independent Contractor Dust Abatement Permit application for Manta Road in front of the Mecham and Walston homes, pending signatures of United Materials. Motion carried.

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

APPROVAL FOR A SANITARY WORKER AT JONES PARK JOB DESCRIPTION – June 17, 2015

Commissioner Kuka moved to approve the job description for a sanitary worker at Jones Memorial Park in Dupuyer. Commissioner Hoppes seconded. Motion carried.

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

RESIGNATION OF ROAD DEPARTMENT LABORER/OPERATOR ACCEPTED – June 17, 2015

Commissioner Kuka moved to accept the resignation of Road Department Laborer/Operator Kevin Kovatch, effective June 25. Commissioner Hoppes seconded. Motion carried.

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

MAY MINUTES APPROVED - June 17, 2015

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

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

REQUESTS FOR PROPOSALS FOR TREE TRIMMING AT CONRAD AIRPORT APPROVED – June 17, 2015

Commissioner Kuka moved and Commissioner Hoppes seconded to solicit proposals for tree trimming or removal at the Conrad airport and an adjacent private property. The trimming or removal is necessary to meet FAA requirements for clearance. Motion carried.

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

RIGHT-OF-WAY FORAGE REMOVAL AGREEMENTS APPROVED – June 17, 2015

Commissioner Kuka moved to approve the Right-Of-Way Forage Removal Agreements requested by Michael Moore for Old Shelby Road, 2 miles south to 3 miles north of the Ledger Road. Commissioner Kuka seconded. Motion carried.

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

RESOLUTION AUTHORIZIING BUDGET AMENDMENTS TO PONDERA COUNTY BUDGET – June 24, 2015

PONDERA COUNTY MONTANA  
RESOLUTION #42 - 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:

Revenue	Description	Prior Amount	New Amount
2860-341072	Building Permit Fee	\$0	\$21,000

Adopted this 24<sup>th</sup> day of June, 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.

BOARD OF COMMISSIONERS  
Pondera County, Montana

          /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 LOAN AND LOAN FORGIVENESS FROM PORT AUTHORITY-ADOPTED - June 24, 2015

Cynthia Johnson, Associate Director of the Pondera Regional Port Authority, sent the commissioners with a request for loan funds to the Port Authority for fiscal year 2015-16 and forgiveness of the loan payment in the amount of \$14,962.50 under the current fiscal year. The written request outlined the Port Authority’s role in economic development and the need for the loan forgiveness in order to keep up operating costs, as well as to maintain a fund for further economic development. Commissioner Hoppes moved to approve the loan and forgiveness of repayment and to treat the loan as a transfer of funds for fiscal year 2014-15. Commissioner Kuka seconded. Motion carried.

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

RESOLUTION AUTHORIZING BUDGET AMENDMENTS – BREAST & CERVICAL SCREENING-ADOPTED – June 24, 2015

PONDERA COUNTY MONTANA  
RESOLUTION #43 – 2014/15

AUTHORIZING BUDGET AMENDMENTS – BREAST & CERVICAL SCREENING

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 an additional \$121 to be paid under fiscal year 2014-15 and under the Breast & Cervical Screening fund, the Health Department will incur expenditures for said purpose not to exceed such funds to be paid from the revenue received and desires to revise the appropriations by object in the County FY2014-15 budget, as amended; and

WHEREAS the of Montana Department of Public Health and Human Services has notified Pondera County that funds to pay contracted services will come directly from the Department and are not reflected in the County’s approved budget amount;

WHEREAS the Pondera County Commissioners conducted a hearing at their regularly scheduled meeting on June 24, 2015 and there were no objections; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pondera County that the budget for Fund 2968, Breast & Cervical Screening, be amended to show the receipt, as follows:

Revenue	Description	Prior Amount	New Amount
2968-331138	Intergovernmental Revenue	\$ 5,000	\$ 5,121

Adopted this 24<sup>th</sup> day of June, 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.

BOARD OF COMMISSIONERS  
Pondera County, Montana

/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

**RESOLUTION FOR LOAN TO FUND 7380 PORT AUTHORITY FUND FORGIVENESS AND TREATED AS A TRANSFER – ADOPTED – June 24, 2015**  
**PONDERA COUNTY, MONTANA**  
**RESOLUTION #44 – 2014/15**  
**LOAN TO FUND 7380 PORT AUTHORITY FUND FORGIVEN AND TREATED AS A TRANSFER**

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 agreed to loan the Port Authority \$14,962.50 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 the funds shall be subject to repayment and/or forgiveness under the terms of the annual loan agreement, and

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 forgiven and the transaction treated as a transfer under the terms of the loan agreement.

Adopted this 24<sup>th</sup> day of June, 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.

BOARD OF COMMISSIONERS  
Pondera County, Montana

/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

**RESOLUTION ESTABLISHING A LOCATION FOR POSTING PUBLIC NOTICE- ADOPTED – June 24, 2015**  
**PONDERA COUNTY MONTANA**  
**RESOLUTION #45 – 2014/15**  
**ESTABLISHING A LOCATION FOR POSTING PUBLIC NOTICE**

WHEREAS, the Montana Code Annotated, Section 7-1-2121 establishes requirements when public notice is to be provided by publication; and

WHEREAS, the Montana Code Annotated, Section 7-1-2122 establishes requirements when public notice is to be provided by mail; and

WHEREAS, House Bill 334 (2013) establishes requirements when public notice is to be provided by posting and is codified as 7-1-2123 MCA.

7-1-2123. Posting.

- (1) The governing body shall specify by resolution a public location for posting information and shall order erected a suitable posting board,
- (2) When posting is required, a copy of the document must be placed on the posting board, and a copy must be available at the office of the county clerk and recorder.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pondera County that all public notices be posted on the bulletin board at the main hallway of the courthouse.

Adopted this 24<sup>th</sup> day of June, 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.

BOARD OF COMMISSIONERS  
Pondera County, Montana

          /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

**EXCAVATION AGREEMENT APPROVED – June 24, 2015**

Pending County Road Supervisor approval, Commissioner Kuka moved to approve the Excavation Agreement requested by 3 Rivers Communications, Inc. to engage in excavation on and under the Williams Road from East Lake Road to Blue Sky Road for the purpose of installing new fiber optic telephone cables to provide high speed DSL service to customers in that area. Commissioner Hoppes second. Motion carried.

**CLAIMS APPROVED FOR PAYMENT – June 30, 2015**

<b>FUND</b>	<b>AMOUNT</b>
GENERAL	\$ 48,786.76
ROAD	30,495.83
BRIDGE	11,181.82
WEED	17,051.02
AIRPORT	1,811.34
PREDATORY ANIMAL	5,930.50
AMBULANCE	129.26
LIBRARY	117,250.00
COUNTY HOSPITAL & NURSING HOME	32,954.97
EMERGENCY SNOW REMOVAL	1,414.00
EXTENSION SERVICE	5,922.14
SENIOR CITIZENS	12,000.00
COUNTY FAIR	2,592.77
PUBLIC SAFETY (LAW ENFORCEMENT)	12,598.26
HEALTH INSURANCE - EMPLOYER CONTRIBUTION	824.86
RECORDS PRESERVATION	1,545.15
BRADY LIGHTS MAINTENANCE	343.91
911 EMERGENCY	1,909.11
LAND USE PLANNING	2,198.01
GAS APPORTIONMENT TAX	9,387.83
NORTHERN TRANSIT INTERLOCAL	73.58
BUCKLE UP MT	2,071.17

NOXIOUS WEED GRANT	4,626.09
EMERGENCY PREPAREDNESS GRANT	2,460.71
PERFORMANCE MGT GRANT	188.47
HEALTHY CHILD (LEAD POISONING) GRANT	404.25
BREAST & CERVICAL SCREENING	90.95
WIC GRANT	159.45
MATERNAL CHILD HEALTH	1,987.66
IMMUNIZATION ACTION PROGRAM	79.00
TOBACCO USE PREVENTION GRANT	3,611.04
NAPA GRANT	26.66
HEALTH CARE FOUNDATION GRANT	25.99
HOSPITAL DEBT SERVICE 95	350.00
GENERAL FUND CAPITAL IMPROV	9,657.26
ROAD/BRIDGE EQUIP PURCHASE	234,377.93
PUBLIC SAFETY CAP IMPROV	34,379.00
REFUND FUND	18,283.86
TOTAL CLAIMS	\$ 629,180.61
TOTAL PAYROLL	<u>251,748.86</u>
TOTAL CLAIMS AND PAYROLL FUNDS	<u><u>880,929.47</u></u>

**ADJOURNMENT**

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

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Sandra J Broesder, Chairman

ATTEST:

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Kody Farkell, Clerk & Recorder