

***REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS
PONDERA COUNTY, MONTANA
Held in February, 2016***

The Board of Pondera County Commissioners met daily in informal session and in scheduled meetings on February 10, 17, and 24, 2016. Unless indicated, all Commissioners were present.

YEARLY COMMITMENT FOR NORTHERN TRANSIT INTERLOCAL COORDINATION PLAN – February 10, 2016

Commissioner Hoppes moved to commit \$5,000 for the FY 2016-17 year to support Northern Transit Interlocal Coordination Plan. Commissioner Kuka seconded. Motion carried.

DECEMBER MINUTES APPROVED - February 10, 2016

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

COUNTY BOARD APPOINTMENTS – February 10, 2016

Commissioner Hoppes moved and Commissioner Kuka seconded to appoint Laura Erickson as PMC ex-officio member to the Pondera County Health Board. Motion carried.

MONTANA LAND INFORMATION ACT GRANT APPLICATION APPROVED – February 10, 2016

Commissioner Kuka moved to approve a Montana Land Information Act Grant application in the amount of \$50,000. Commissioner Hoppes seconded. Motion carried. The grant application, prepared by DES Coordinator LeAnn Hermance, will allow the County to supplement, upgrade, and update the County’s existing Enhanced 9-1-1 and GIS data.

TAX ABATEMENTS APPROVED – February 17, 2016

Commissioner Hoppes moved to approve tax abatement/cancellation #1005

<i>NUMBER</i>	<i>REASON</i>	<i>CANCEL</i>	<i>ADD</i>	<i>PARCEL #</i>
1005	Fire destroyed residence	\$131.20		198700

Commissioner Kuka seconded. Motion carried.

MODIFICATION OF SECTION 125 CAFETERIA PLAN APPROVED – February 17 2016

Commissioner Kuka moved and Commissioner Hoppes seconded to approve the amendment to Pondera County’s Section 125 Cafeteria Plan, which will allow new employees to enroll in the Cafeteria Plan upon hiring only for the purpose of being able to pay their health insurance premium pre-tax. Motion carried.

RESOLUTION AUTHORIZING PARTICIPATION IN THE SHORT TERM INVESTMENT POOL (STIP) MONTANA BOARD OF INVESTMENTS-ADOPTED – February 17, 2016

RESOLUTION NO. 22-2015/16

RESOLUTION AUTHORIZING PARTICIPATION IN THE BOARD OF INVESTMENTS OF THE STATE OF MONTANA SHORT TERM INVESTMENT POOL (STIP) AND AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS RELATED THERETO

BE IT RESOLVED BY THE Commissioners (the Governing Body) of Pondera County (the Participant) AS FOLLOWS:

ARTICLE I

DEFINITIONS

Section 1.01 The following terms will have the meanings indicated below for all purposes of this Resolution unless the context clearly requires otherwise:

Section 1.02 Account shall mean a specific Participant Bank account assigned by the Bank to be used in conducting transactions through the STIP Program.

Section 1.03 Agreement shall mean the agreements of the Participant as contained within this Resolution.

Section 1.04 Authorized Representative shall mean the officer or official of the Participant designated and duly authorized by the Governing Body as set forth below to enable the Participant's participation in the STIP Program.

Section 1.05 Authorized Delegate shall mean any lawful officer, official or employee of the Participant who has been delegated authority by the Authorized Representative as provided in this Resolution to initiate transactions using the Board's STIP Program.

Section 1.06 Bank shall mean a financial institution designated and authorized as provided in this Resolution to send and receive money on behalf of the Participant for purposes of participation in the STIP Program.

Section 1.07 Board shall mean the Board of Investments of the State of Montana, a public body corporate organized and existing under the laws of the State and its successors and assigns.

Section 1.08 Exhibit A (STIP Participation Information Sheet) shall mean the document attached to and incorporated into this Resolution as provided in Article IV, Section 4.01. that provides information necessary for the Participant to participate in STIP.

Section 1.09 Exhibit B (Electronic Funds Transfer Authorization Form) shall mean the document attached to and incorporated into this Resolution as provided in Article IV, Section 4.01 that provides instructions for the Board and its agents to administer and manage the Participant's participation, transactions and shares in the STIP Program.

Section 1.10 Governing Body shall mean the governing body of the above-named political subdivision (Participant) authorized by Montana state law to participate in the STIP Program as further specified in this Resolution.

Section 1.11 Participant shall mean the political subdivision requesting participation in the Board's Short Term Investment Pool.

Section 1.12 Short Term Investment Pool, STIP, or Program shall mean the Board's Short Term Investment Pool Program as authorized by law and as more fully defined and described in the Board's policies and procedures, as may be amended from time to time.

ARTICLE II

SHORT TERM INVESTMENT POOL PARTICIPATION AGREEMENT

Section 2.01 Participation Agreement. By approving and adopting this Resolution and Exhibits A and B, the Governing Body requests and agrees to participation of Participant in the STIP Program, and agrees that Participant will comply with and be bound by all laws, policies, procedures and participation requirements applicable to the STIP Program, as may be amended from time to time.

Section 2.02 STIP Program Description. The STIP Program is an investment program administered under the direction of the Montana Board of Investments as authorized by the Unified Investment Program. As more fully set forth in Board policies and procedures, STIP is available to state and local governments to serve their short term cash flow and deposit needs and its objectives are to preserve capital and to maintain high liquidity. The Program has the following attributes, as more fully set forth in applicable Board policies, procedures and participation requirements, which are subject to change upon the sole determination of the Board:

- 1) STIP transactions are fixed at \$1 per share;
- 2) STIP interest on pool assets accrues daily;
- 3) STIP earnings distribution method: Interest is distributed at the beginning of the month and can be distributed as cash to the designated Bank or the earnings can be reinvested into STIP;
- 4) Buying or selling shares in STIP requires one (1) business days' notice; transactions for which notice is received after 2:00 p.m. will be processed two (2) business days after receipt of the original notice;
- 5) Access to STIP is only through an electronic, web-based portal; no cash, checks or notifications by fax, phone or email will be accepted;
- 6) STIP's web portal provides real-time information on each account including: investment balances, buys, sells, pending transactions, and transaction notes, as determined by the authorized user; and
- 7) The Board accounts and reports on its financial statement STIP investment on a Net Asset Value (NAV) basis. A NAV per share of a STIP unit will be shown on the Board's website for each month-end period <http://investmentmt.com/MonthlyNetAssetValue>.

Section 2.03 Review of Policies, Procedures and Participation Requirements. Participant acknowledges and represents that it has reviewed to its satisfaction all Board policies, procedures and participation requirements applicable to the STIP Program. <http://investmentmt.com/STIP>

Section 2.04 Authorized Representative: The Governing Body designates Jeanne Moon, who holds the position of Treasurer as the Participant's Authorized Representative to make transactions between STIP and the Bank.

The Governing Body: (check one) DOES DOES NOT allow the Authorized Representative to appoint and delete additional Authorized Delegate(s) on behalf of the Participant. If "DOES" is checked, any addition or deletion of an Authorized Delegate requires notice via the submission of a completed Exhibit A (STIP Participation Information Sheet) to the Board by the Authorized Representative before transactions will be accepted and processed as directed by the Authorized Delegate.

The Governing Body designates and authorizes Participant's Bank, (the Bank), identified in Exhibit B attached, designating the Account Number and ABA Number to send or transfer funds to the State Treasurer for purchase of STIP shares and to deposit distributions of and withdraw proceeds resulting from sales of STIP shares in the Bank's Account identified in Exhibit B attached which is a (check one) checking account savings account .

The Governing Body: (check one) DOES [] DOES NOT [] allow the Authorized Representative to change either the Bank or the Account; if 'DOES' is checked, the Board will notify both the office of the Authorized Representative AND the office of the Governing Body within three (3) business days that such a change has been made.

The Governing Body: (check one) DOES [] DOES NOT [] allow the Authorized Representative to change the earnings distribution method; if DOES NOT is checked, the Governing Body chooses the following earnings distribution method (check one) reinvest cash earnings into STIP [] distribute cash earnings to the Bank [].

Section 2.05 Change of Authorized Representative. Any change to the Authorized Representative requires a new Resolution adopted by the Governing Body; however the absence of an Authorized Representative does not nullify the authority of the Authorized Delegate(s) then in effect and so authorized to make STIP transactions.

Section 2.06 Annual Confirmation. The Board will provide on an annual basis to both the Governing Body and the Authorized Representative the following information as appears on the Board's records:

1. The name of the Authorized Representative;
2. The name(s) of any Authorized Delegate(s); and
3. The name of the Bank and the associated Account Number (truncated).

Section 2.07 Effective Date. Participant's Agreement as set forth in this Resolution will take effect when the Certificate as to Resolution and Adopting Vote, this Resolution and Exhibits A and B, each completed, dated and duly executed, are delivered to and received by the Board and will stay in effect until terminated in writing by the Governing Body.

ARTICLE III

MISCELLANEOUS

Section 3.01 No Guaranteed Return. The Governing Body understands and agrees that there is no minimum or maximum amount of interest rate or any guaranteed rate of return on STIP shares or funds invested in STIP shares.

Section 3.02 Voluntary Participation. By adopting this Resolution, the Governing Body acknowledges that it is not compelled to participate in STIP, and that its participation in STIP is voluntary, and accepts and agrees to the Program, its administration and governance, and its policies, procedures and participation requirements as set forth by law and the Board.

Section 3.03 Responsibility for Participant Mistakes. The Governing Body and Participant agree to hold the State of Montana, the Board, and their members, officials and employees harmless for the acts, omissions and mistakes of the Participant, Governing Body and their members, officials and employees, including but not limited to: Authorized Representative or Authorized Delegate who, for any reason, is not qualified or properly listed with the Board as a permissible representative to authorize transactions using the STIP Program; wrong instructions as to amounts or timing of sales or purchases; or missed deadlines.

Section 3.04 No Warranty. The Governing Body and Participant acknowledge and agree that the Board makes no warranty that funds will be immediately available in the event of any failure of a third party or that Governing Body will not suffer losses due to acts of God, or other calamities, or other market dislocations or interruptions.

Section 3.05 Participation Conditions; STIP Administration. The Governing Body and Participant acknowledge and agree that the Board will allow participation in STIP by and conduct STIP business

with only those parties it determines are qualified and authorized to participate in the Program and which abide by the Board's policies, procedures and participation requirements; that the Board administers the STIP Program subject to Montana law and prudent fiduciary practices as required by Montana law and Board policy; and that the Board is legally bound to manage the Unified Investment Program, which includes STIP, in accordance with the prudent expert rule as set forth in Montana law.

Section 3.06 STIP Not Insured Against Loss. The Governing Body and Participant understand and acknowledge that the Board's STIP Program is NOT FDIC insured or otherwise insured or guaranteed by the federal government, the State of Montana, the Board or any other entity against investment losses. The Governing Body and Participant further understand and acknowledge that the Board's STIP policy requires maintenance of a reserve fund to offset possible losses and that STIP interest earnings may be used to fund this reserve before the net earnings are distributed to the STIP Participants, but that such reserves may not be adequate to cover investment losses.

ARTICLE IV

EXHIBITS A AND B

Section 4.01 Approval and Adoption of Exhibits A and B. Attached to this Resolution as Exhibits A and B, are the STIP Participation Information Sheet, and the Electronic Funds Transfer Authorization Form, which together provide the instructions and the details required by the Board to enable Participant's participation in the STIP Program. The Governing Body and Participant represent and agree that the attached Exhibits A and B have been completed and executed by the Participant's Authorized Representative and that Exhibits A and B must be complete and acceptable to the Board before participation will be allowed in the STIP Program. Exhibits A and B are hereby incorporated into and made a part of this Resolution, and are approved and adopted by the Governing Body as if set forth fully herein.

APPROVED AND ADOPTED by the Pondera County Commissioners this 18th day of February, 2016.

By Janice Hoppes
Its Vice-Chairman

Attest:

By Kody L Farkell
Its Clerk & Recorder

JANUARY MINUTES APPROVED - February 17, 2016

Commissioner Kuka moved and Commissioner Hoppes seconded to approve the Commission Minutes for January 2016. Motion carried.

RESIGNATIONS ACCTEPTED – February 24, 2016

Commissioner Kuka moved to accept the resignations of Steve Rose (dispatch center) and Sandy Syvertson (transit bus driver). Commissioner Hoppes seconded. Motion carried.

Commissioner Broesder was absent.

PURCHASE OF POSTAGE METER AND MAINTENANCE AGREEMENT

APPROVED – February 24, 2016

Commissioner Kuka moved to purchase a Neoplast IN600AF postage machine at a cost of \$4,800.00 and one year maintenance agreement at a cost of \$540.00. Commissioner Hoppes seconded. Motion carried.

Commissioner Broesder was absent.

IMPLEMENTATION OF LAW ENFORCEMENT POLCY APPROVED - February 24, 2016

Commissioner Kuka moved to approve implementation of the Eyewitness Identification Policy as prepared by the Montana Public Safety Officer Standards and Training Council as policy in the Pondera County Sheriff's Department. Commissioner Hoppes seconded. Motion carried.

Commissioner Broesder was absent.

REQUEST FOR PROPOSALS FOR REMOVAL OF BARBED WIRE FENCE AT VALIER AIRPORT– February 24, 2016

Commissioner Kuka moved to solicit requests for proposals for the removal of the barbed wire fence at the Valier Airport. Commissioner Hoppes seconded. Motion carried. Commissioner Broesder was absent.

RESOLUTION DECLARING PROPERTY SURPLUS AND SETTING SALE-ADOPTED – February 9, 2016

PONDERA COUNTY
RESOLUTION #23 – 2015/16
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:

2013 Ford Explorer Police Vehicle Minimum market value: \$500

WHEREAS, the Commissioners have determined it is in the best interests of the County to sell the item at public sale by sealed bid, said bids to be opened on Wednesday, March 23, 2016 at 10:00 a.m. at the Commissioners' Office, Pondera County Courthouse, 20 Fourth Ave SW, Conrad, Montana; and

WHEREAS, Section 7-8-2217(2), MCA, requires that if the property is sold at public sale, notice must be given as 7-1-2121, MCA, i.e., published twice, with at least 6 days separating each publication.

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) sets the date for the sale, by sealed bid, opened on Wednesday, March 23, 2016 at 10:00 a.m. at the Commissioner's Office, Pondera County Courthouse, 20 Fourth Ave SW, Conrad, Montana; and
- 3) directs that the County Clerk shall comply with the notice requirements of Section 7-1-2121, MCA, by publishing notice of sale in The Independent-Observer and The Valierian two times, with at least 6 days separating each publication i.e., March 9 and March 16, 2016

ADOPTED this 24th day of February, 2016, as moved by Commissioner Kuka, seconded by Commissioner Hoppes, and passed on a 2-0 vote of the board. Effective on passage and approval

PO BOARD OF COUNTY COMMISSIONERS
Pondera County, Montana

Absent
Sandra J. Broesder, Chairman

/s/ Janice Hoppes
Janice Hoppes, Member

ATTEST:

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

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

CLAIMS APPROVED FOR PAYMENT – February 29, 2016

<u>FUND</u>	<u>AMOUNT</u>
GENERAL	\$ 27,306.61
ROAD	8,016.40
BRIDGE	2,056.83
WEED	479.12
AIRPORT	5,629.77

AMBULANCE		210.36
EXTENSION SERVICE		5,431.14
COUNTY FAIR		527.00
PUBLIC SAFETY (LAW ENFORCEMENT)		18,722.92
HEALTH INSURANCE - EMPLOYER CONTRIBUTION		1,269.14
RECORDS PRESERVATION		44.00
BRADY LIGHTS MAINTENANCE		340.03
911 EMERGENCY		4,510.49
LAND USE PLANNING		461.00
GAS APPORTIONMENT TAX		3,052.37
NORTHERN TRANSIT INTERLOCAL		2,668.05
STATE ALLOCATED FEDERAL MINERAL		125.00
EMERGENCY PREPAREDNESS GRANT		921.66
BREAST & CERVICAL SCREENING		125.28
WIC GRANT		355.00
MATERNAL CHILD HEALTH		270.62
IMMUNIZATION ACTION PROGRAM		131.06
TOBACCO USE PREVENTION GRANT		689.27
NAPA GRANT		63.21
HEALTH CARE FOUNDATION GRANT		97.33
PUBLIC SAFETY CAP IMPROV		5,166.00
REFUND FUND		78.43
TOTAL CLAIMS	\$	88,748.09
TOTAL PAYROLL		<u>248,533.80</u>
TOTAL CLAIMS AND PAYROLL FUNDS		<u><u>337,281.89</u></u>

ADJOURNMENT

The meeting adjourned at 5:00 p.m. on February 29, 2016. Pondera County, Montana.

Sandra J Broesder, Chairman

ATTEST:

Kody Farkell, Clerk & Recorder