

**REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS  
PONDERA COUNTY, MONTANA  
Held in October, 2010**

The Board of Pondera County Commissioners met daily in informal session and in scheduled meetings on October 6, 13, 20 and 27, 2010. Unless indicated, all Commissioners were present.

**EMERGENCY PREPAREDNESS GRANT TASK ORDER APPROVED-** October 6, 2010

Commissioner Christiaens moved to approve the Task Order 11-07-6-11-038-0 to the Master Contract for the Public Health Emergency Preparedness & Training Grant. The Task Order will provide the County with funding in the amount of \$34,207.00 for services provided from September 1, 2010 through August 31, 2010. Commissioner Broesder seconded; motion carried. (Commissioner Johnson absent at NACo meeting)

**EXCAVATION AGREEMENT APPROVED** – October 6, 2010

Commissioner Christiaens moved to approve the Excavation Agreement requested by New Miami Colony to engage in excavation on and under the Conrad-Dupuyer Road for the purpose of burying a water line. Commissioner Broesder seconded; motion carried. (Commissioner Johnson absent at NACo meeting)

**EXCAVATION AGREEMENT APPROVED** – October 6, 2010

Commissioner Christiaens moved to approve the Excavation Agreement requested by 3 Rivers Communications, Inc. to engage in excavation on and under the Robare Lane for the purpose of installing a new telephone cable to re-route around new substation. Commissioner Broesder seconded; motion carried. (Commissioner Johnson absent at NACo meeting)

**SUPERAWOS NETLINK MONITORING CONTRACT WITH SATELLITE BACKUP APPROVED-** October 6, 2010

Commissioner Christiaens moved to approve the SuperAWOS Netlink Monitoring Contract with Satellite Backup with Potomac Aviation Technology Corp to monitor and maintain the weather at the Conrad Airport. The Contract is for one year and the option to renew each year for an additional nine years. The County will pay \$150.00 per year for the service. Commissioner Broesder seconded; motion carried. (Commissioner Johnson absent at NACo meeting)

**COMMISSION MINUTES APPROVED-** October 6, 2010

Commissioner Christiaens moved to approve the minutes of the Commission for August and September, 2010. Commissioner Broesder seconded; motion carried. (Commissioner Johnson absent at NACo meeting)

**RESOLUTION #8 – AUTHORIZING REIMBURSEMENT FOR MILEAGE CHARGES FOR EMERGENCY MANAGEMENT PROGRAM GRANT-** October 6, 2010

PONDERA COUNTY, MONTANA  
RESOLUTION NO. 8 – 2010-11  
**EMERGENCY MANAGEMENT PROGRAM GRANT (EMPG)**  
**MILEAGE CHARGES**

WHEREAS, Pondera County needs to cover the cost of vehicle maintenance, fuel and insurance for the local Disaster and Emergency Services (DES) Coordinator.

NOW, THEREFORE, BE IT RESOLVED by the Pondera County Board of Commissioners that the Pondera County Disaster and Emergency Services maintain a mileage log and be reimbursed using mileage rates current at the time of travel for travel to and from scheduled meetings and any travel in the course of job duties.

BE IT FURTHER RESOLVED that DES Coordinator shall include the mileage as the reimbursement fee on the Emergency Management Performance Grant (EMPG) Reimbursement Invoice.

Adopted this 6th day of October, 2010 as moved by Commissioner Christiaens, seconded by Commissioner Broesder, and passed on a 2-0 vote of the full board. Effective on passage and approval.

**BOARD OF COUNTY COMMISSIONERS**

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

/s/ absent  
Cynthia A. Johnson, Member

Attest: /s/ Janice Hoppes  
Janice Hoppes, Clerk & Recorder

/s/ Joseph Christiaens  
Joseph Christiaens, Member

**PUBLIC HEARING ON PROPOSAL TO CLOSE COUNTY OFFICES ON NOVEMBER 26, 2010 - October 13, 2010**

At 10:00 a.m. Commission Vice-Chair Johnson opened the public hearing on the proposal to close the county offices on Friday, November 26, 2010 (the day after Thanksgiving). The hearing was noticed in The Independent-Observer and The Valierian on September 30 and October 7, 2010. Buck Traxler, in attendance for media, was the only member of the public present and did not voice either opposition or support for the proposal. No written comments had been received. The hearing was closed at 10:10 a.m. Commissioner Christiaens moved to close the County offices on Friday, November 26, 2010 (the day after Thanksgiving). Commissioner Johnson seconded; motion carried. (Commissioner Broesder absent attending training on the energy grant process)

**RESOLUTION NO. 9– DESIGNATING COUNTY OFFICE HOURS – ADOPTED – October 13, 2010**

PONDERA COUNTY, MONTANA  
RESOLUTION NO. 9– 2009/10

**DESIGNATING COUNTY OFFICE HOURS – HOLIDAY CLOSINGS**

WHEREAS, Section 7-4-102, MCA, grants the Board of County Commissioners the power and authority to set office hours of the County offices (by formal resolution after a public hearing and if consented to by any affected elected county officer); and

WHEREAS, it is the intent of the Pondera County Commissioners to provide its employees availability for a long week-end when certain holidays fall on a Tuesday or Thursday; and

WHEREAS a public hearing on this resolution was conducted on Wednesday, October 13, 2010 at 10:00 a.m. in the office of the Pondera County Commissioners. Notice of the hearing was published in the Independent Observer and The Valierian for two consecutive weeks on September 30 and October 7, 2010 and no elected county officer nor any members of the public objected to the proposed office hours ;

WHEREAS, employees will need to use compensatory time accrued and/or vacation hours to receive pay for the hours normally worked. Employees wishing to work during the affected hours and/or employees who do not have vacation and/or compensatory hours to apply to the benefit hours may work the hours.

NOW, THEREFORE, BE IT RESOLVED by the Pondera County Board of Commissioners that the Pondera County offices will be closed:

Friday, November 26, 2010 (day after Thanksgiving Day)  
in addition to the Thanksgiving Day holiday on Thursday, November 25, 2010;

BE IT FURTHER RESOLVED that employees will need to use compensatory time accrued and/or vacation hours to receive pay for the hours normally worked.

Employees wishing to work during the affected hours and/or employees who do not have vacation and/or compensatory hours to apply to the benefit hours may work.

Adopted this 13th day of October, 2010 as moved by Commissioner Christiaens, seconded by Commissioner Johnson, and passed on a 2-0 vote of the full board. Effective on passage and approval.

**BOARD OF COUNTY COMMISSIONERS**

(absent)  
Sandra J. Broesder, Chairman

/s/ Cynthia A Johnson  
Cynthia A. Johnson, Member

ATTEST: Janice Hoppes  
Janice Hoppes, Clerk & Recorder

/s/ Joseph Christiaens  
Joseph Christiaens, Member

**EMPLOYEE SAFETY COMMITTEE MEMBERS APPOINTED** - October 13, 2010

Commissioner Christiaens moved to appoint LeAnn Hermance, John Stokes, Kara Thompson, Angela Brown, Jeff Pruttis, Ron Moon and Steve Becker to the employee safety committee. Commissioner Christiaens will attend as the commissioner representative. Commissioner Johnson seconded; motion carried. (Commissioner Broesder absent attending training on the energy grant process)

**FINAL APPROVAL OF SIX PACK MINOR SUBDIVISION-** October 13, 2010

All conditions of the preliminary subdivision approval having been met, Commissioner Christiaens moved to enter a final approval of the Six Pack Minor Low-Impact minor subdivision. Commissioner Johnson seconded; motion carried. . (Commissioner Broesder absent attending training on the energy grant process)

**PRE-DISASTER MITIGATION GRANT PROGRAM APPROVED; COUNTY AGENT NAMED** – October 20, 2010

Commissioner Johnson moved to approve the State-Local Disaster Assistance Agreement Pre-Disaster Mitigation Grant Program with the State of Montana Disaster and Emergency Services and to name Le Ann Hermance as the County’s Agent.. The counties of Glacier and Pondera will share in the grant with Pondera County serving as the lead county. The two counties will receive a total of \$35,000 to rewrite their individual Disaster Mitigation plans. Each County is responsible to provide \$5,833.35 in match either in the form of supplies and materials, wages, etc. or in funding. Commissioner Christiaens seconded; motion carried.

**RESOLUTION #10 – AUTHORIZING BUDGET AMENDMENT – FEMA PRE-DISASTER MITIGATION (PDM) PLANNING GRANT – ADOPTED** – October 20, 2010

**PONDERA COUNTY MONTANA  
RESOLUTION #10– 2010-11  
AUTHORIZING BUDGET AMENDMENT – FEMA PRE-DISASTER  
MITIGATION (PDM) PLANNING GRANT**

WHEREAS the Montana Code Annotated, Section 7-6-4006(c), grants the Board of County Commissioners the power and authority to appropriate money received from the federal or state government, regardless of the time the money is received and, pursuant to Section 7-6-4006(4), to amend the budget during the fiscal year by conducting public hearings at regularly scheduled meetings; and

WHEREAS the State of Montana Department of Military Affairs, Disaster & Emergency Services Division has notified Pondera County (lead agency) and Glacier County of the award of a 75% federally funded grant in the amount up to \$35,000 for the FEMA Pre-Disaster Mitigation (PDM) Planning Grant; and

WHEREAS Pondera County and Glacier County, through their Disaster and Emergency Services Departments, will incur expenditures for services not to exceed \$35,000.00 for updating their individual county FEMA Pre-Disaster Mitigation (PDM) Plans; and

WHEREAS the Pondera County Commissioners conducted a hearing at their regularly scheduled meeting date on October 20, 2010 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 2929, Accounts 331021 and 420603, be established to show the receipt and expenditures of the \$35,000.00 grant funds, as follows:

<u>Revenue</u>	<u>Description</u>	<u>Prior Amount</u>	<u>New Amount</u>
2929-331021	Grant Revenue	\$ 0.00	\$35,000

  

<u>Expenditure</u>	<u>Description</u>	<u>Prior Amount</u>	<u>New Amount</u>
2929-206-420603-350	Professional Services	\$ 0.00	\$35,000

Adopted this 20th day of October, 2010 as moved by Commissioner Johnson, seconded by Commissioner Christiaens, and passed on a unanimous 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/ Cynthia A. Johnson  
Cynthia A. Johnson, Member

Attest: /s/ Janice Hoppes  
Janice Hoppes, Clerk & Recorder

/s/ Joseph Christiaens  
Joseph Christiaens, Member

NEIGHBORHOOD STABILIZATION PROGRAM DRAW #5 APPROVED – October 20, 2010

Commissioner Johnson moved to approve the Neighborhood Stabilization Program #MT-NSP-018-01-001C, draw #5 in the amount of \$18,860.81 for additional expenditures at the Brady project and the two projects in Conrad. Commissioner Christiaens seconded; motion carried.

HB645 GRANT BUDGET AMENDMENT APPROVED – October 20, 2010

Commissioner Christiaens moved to approve the budget amendment requested by the State of Montana for their records. The County records show all funds appropriated to contracted services and do not require amendment at the county level. The budget submitted to the State allocates the contracted services between architectural services and construction services. Commissioner Johnson seconded; motion carried.

CERTIFIED MILLS APPROVED- October 20, 2010

Commissioner Christiaens moved to approve the certified mills for the county tax bills for fiscal year 2010-11. Commissioner Johnson seconded; motion carried.

RESOLUTION #11 – DECLARING PROPERTY (1978 CHEVY 1 TON VAN) SURPLUS AND SETTING DATE OF SALE – October 20, 2010

PONDERA COUNTY  
RESOLUTION #11 - 2010/11  
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:

1978 Chevy 1 Ton Utility Van (ambulance) VIN: CCS338B170326 Value: \$4,500

WHEREAS, the Commissioners have determined it is in the best interests of the County to sell the item at public auction, 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 highest bidder at public auction on November 17, 2010 at 10:00 a.m. inside the main door of the Pondera County Courthouse, 20 4<sup>th</sup> Ave SE, Conrad, Montana, pursuant to Section 7-8-2217, Montana Code Annotated.

ADOPTED this 20th day of October, 2010, as moved by Commissioner Christiaens, seconded by Commissioner Johnson, and passed on a unanimous 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/ Cynthia A. Johnson  
Cynthia A. Johnson, Member

Attest: /s/ Janice Hoppes  
Janice Hoppes, Clerk & Recorder

/s/ Joseph Christiaens  
Joseph Christiaens, Member

**BID OPENING FOR PHASE 3 OF COMMUNITY CENTER PROJECT** – October 27, 2010

Bids were solicited for HVAC units and controls and windows and doors for the community center project, to be funded by the Energy Efficiency and Conservation Block Grant. Attending the bid opening were Mark Blom of Nelson Architects, Chad Rambo of Heartland Mechanical and Adam Dodson for Pheasant Run Builders. Bids submitted were:

**HVAC UNITS AND CONTROLS**

Heartland Mechanical	\$65,000
Brennan Heating & Cooling	\$74,500
AT Klemmens	\$68,234

**WINDOWS AND DOORS**

Pheasant Run Builders	\$65,000
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Commissioner Christiaens moved to take the bids under advisement. Commissioner Johnson seconded; motion carried.

**DISCUSSION OF ENCROACHMENT OF COUNTY ROAD IN BRADY** – October 27, 2010

The Commissioners met with Dale Schmidt of Brady who complained that his neighbors are blocking the alley. Brady is not an incorporated town so the streets and alleys are under county jurisdiction. The commissioners, county sanitarian and sheriff discussed the situation with Schmidt and determined that the commissioners would follow-up on the complaint and requested the sheriff drive by the property and assess the situation.

**BID FOR WINDOWS AND DOORS AWARDED** – October 27, 2010

Commissioner Johnson moved to accept the bid of Pheasant Run Builders for the windows and doors at the community center project. Commissioner Christiaens seconded; motion carried.

**APPROACH AGREEMENT APPROVED** – October 27, 2010

Commissioner Johnson moved to approve the Approach Agreement requested by Seven M Enterprises, LLC to encroach upon the right-of-way at Everett Street in Dupuyer for the purpose of installing an approach. Commissioner Christiaens seconded; motion carried.

**TREASURER'S SECURITIES PRESENTED**- October 27, 2010

The following are the investments as of 9-30-2010.

STIP \$2,338.05 @ .3282226%  
 STOCKMAN BANK  
 COUNTY REPURCHASE \$7,271,702.02 @ .750% Collateralized by the following

\$7,701,859.40 FHLMC 3587-FB Cusip 31398KD49 @ 1.0227% matures 2/15-2036  
 \$3,463,727.00 FNMA 2002-93 FH Cusip 31392GRS6 @ .7462% matures 1/25/2033  
 \$7,818,368.00 FHLMC 3593 CF Cusip 31398KRF9 @ .8387% matures 2/15/2036

RBC WEALTH 250,000.00 @ 1.500% due 10-19-2012  
 500,000.00 @ 1.650% due 12-10-2012  
 250,000.00 @ 2.140% due 11/20/2013  
 350,000.00 @ 2.250% due 12-30-2013  
 200,000.00 @ 2.000% due 7-7-2015  
 200,000.00 @ 1.00% due 7/14/2014  
 200,000.00 @ 1.500% due 7/22/2015

TOTAL 1,950,000.00

Also the following deposits are held at Stockman Bank to cover our accounts totaling \$704,157.27

Cusip 3133XF5T9 \$1,375,000.00 FHLB @ 5.0% matures 9-9-11  
 Cusip 31331GV22 \$395,000.00 FHLB @ 1.13% matures 10-3-11

REQUEST TO USE BRADY COMMUNITY CENTER APPROVED- October 27, 2010

Commissioner Christiaens moved to approve the request of the Brady Community Hall for a craft and creation show and farmers market on November 5, 6 and 7, 2010. Commissioner Broesder seconded; motion carried. (Commissioner Johnson absent)

PUBLIC HEARING - PROPOSED DISSOLUTION OF THE VALIER AND DUPUYER TV DISTRICTS- October 27, 2010

Commission Chair Broesder opened the public hearing on the proposed dissolution of the Valier and Dupuyer TV Districts at 5:30 p.m. The hearing was noticed in The Independent-Observer and The Valerian on 14 and 21, 2010.

Attending: Commissioners Broesder, Christiaens and Johnson. No members of the public attended.

No members of the public attended the hearing and there were no written protests received.

The hearing was closed at 5:45 p.m.

Commissioner Christiaens moved to dissolve the Valier TV District and the Dupuyer TV District. Commissioner Johnson seconded; motion carried.

<i>FUND</i>	<i>AMOUNT</i>
GENERAL	\$ 38,182.47
ROAD	12,863.48
BRIDGE	5,439.42
WEED	2,070.02
AIRPORT	225.61
AMBULANCE	116.10
EXTENSION SERVICE	4,619.63
PUBLIC SAFETY (LAW ENFORCEMENT)	7,236.62
HEALTH INSURANCE - EMPLOYER CONTRIBUTION	745.04
BRADY LIGHTS MAINTENANCE	310.98
GAS APPORTIONMENT TAX	2,721.33
LAND USE PLANNING	295.00
VICTIM & WITNESS ADVOCATE	406.00
CDBG - GROWTH POLICY	132.01
BUCKLE UP MT	5,792.08
DES GRANTS	296.53
BREAST & CERVICAL SCREENING	251.93
WIC GRANT	532.76
MATERNAL CHILD HEALTH	1,886.45

TOBACCO USE PREVENTION GRANT	1,351.93
ROAD/BRIDGE CAPITAL IMPROVEMENT	146,840.00
REFUND FUND	<u>15.56</u>
TOTAL CLAIMS	\$ 232,330.95
TOTAL PAYROLL	<u>187,952.56</u>
TOTAL CLAIMS AND PAYROLL FUNDS	\$ 420,283.51

**CLOSING REMARKS**

Each Commissioner was in attendance or attending meetings both during the day or evening – 20 days and 1 holiday. Meetings were held during the month with various citizens, taxpayers, vendors, board members and employees.

**ADJOURNMENT**

The meeting adjourned at 5:00 p.m. on October 31, 2010.

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CHAIRMAN, BOARD OF COUNTY COMMISSIONERS

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SECRETARY, BOARD OF COUNTY COMMISSIONERS  
PONDERA COUNTY, MONTANA