

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

The Board of Pondera County Commissioners met daily in informal session and in scheduled meetings on September 1, 8, 15 and 22, 2010. Unless indicated, all Commissioners were present.

OPENING OF BIDS FOR PURCHASE OF ASPHALT RECLAIMING EQUIPMENT – September 1, 2010

Bids were solicited for the purchase of asphalt reclaiming machinery (asphalt zipper) for the County Road Department. Bids received were:

Normont Equipment	Zanetis Road Hog	\$114,264.00
	Optional: trailer	<u>8,510.00</u>
		\$122,774.00
Asphalt Zipper	AZ 600 model	\$120,950.00
	Optional: trailer	12,000.00
	Other Options	<u>13,890.00</u>
		\$146,840.00

Commissioner Johnson moved to take the bids under advisement. Commissioner Christiaens seconded; motion carried.

OPENING OF PROPOSALS FOR PURCHASE OF MOWERS – September 1, 2010

Proposals were solicited for the purchase of one or more mowers for the County Road Department. Proposals received were:

Tilleman	Schulte	One	\$16,900.00
		Two	\$16,600.00 each
		Three	\$16,300.00 each
Normont Equipment	Diamond	One	\$17,410.00
		Two	\$16,380.00 each
		Three	\$15,990.00 each
Frontline Ag	John Deere		\$14,400.00

(It was noted that Frontline Ag did not include the required bond)
Commissioner Christiaens moved to take the proposals under advisement. Commissioner Johnson seconded; motion carried.

DISCUSSION WITH KEN WHEELER, SR REGARDING PROSPECTIVE BUSINESS – September 1, 2010

Ken Wheeler, Sr., visited with the Commissioners regarding his possible purchase of equipment to apply magnesium chloride (dust remediation compound) to private roads in the county. He is trying to get a feel for the need and came to the commissioners to see if they had been approached by people interested in this type of service. There was discussion and the commissioners did state they have been approached on occasion. The State did apply a dust remediation chemical to a small portion of one of the county roads and it was effective for dust containment. Further inquiries from the public will be referred to Ken.

REQUEST FOR USE OF COUNTY EQUIPMENT DENIED- September 1, 2010

The commissioners were approached by Cliff Gustafson for the use of a county-owned backhoe by a volunteer for work at Swift Dam Park. The Park is county-owned and the volunteer is an employee of the Road Department, experienced in operating the backhoe. The commissioners and John Stokes discussed the request and the issues of workers' compensation and liability insurance coverage in the situation as well as the standing policy that does not allow for the use of county equipment for work in off hours by volunteer nor paid employee. Also, there are environmental concerns with the Swift Dam site. The commissioners determined they would not allow the use of the equipment in this instance.

PRELIMINARY APPROVAL OF THE SIX PACK MINOR SUBDIVISION- September 1, 2010

After review of the low-impact preliminary subdivision plat and accompanying maps and information, Commissioner Christiaens moved to approve the preliminary plat for the Six Pack Minor Subdivision, subject to the following conditions:

1. A certificate of a title abstractor showing the names of the owners of record of the land to be subdivided and the names of any lien holders or claimants of record against the land and the written consent to the subdivision by the owners of the land, if other than the subdivider, and any lien holders or claimants of record against the land must appear on the face of or accompany the approved final plat when it is presented to the County Clerk and Recorder for filing. The Certificate of Abstract must be dated not more than 30 days from the application date.

Commissioner Johnson seconded; motion carried.

BID AND PROPOSAL AWARDED FOR PURCHASE OF EQUIPMENT – September 8, 2010

Commissioner Christiaens moved to purchase on asphalt reclaiming machinery (asphalt zipper) for the County Road Department from Asphalt Zipper Company. The AZ600 model was not the lowest bid, however, was picked based on the experience record from other users and the Zanetis being a new, untested product and to purchase two Schulte mowers from Tilleman Equipment Company. Commissioner Broesder seconded; motion carried. (Commissioner Johnson absent on County business)

MEMORANDUM OF UNDERSTANDING APPROVED- September 8, 2010

Commissioner Christiaens moved to approve the Memorandum of Understanding with the Montana Wool Growers Association for fiscal year 2010-11. The County will pay \$3,227 for the protection of sheep from destructive animals. Funding for this service is from a sheep license fee per head. Commissioner Broesder seconded; motion carried. (Commissioner Johnson absent on County business)

NEIGHBORHOOD STABILIZATION PROGRAM GRANT CONTRACT AMENDMENT APPROVED – September 15, 2010

Commissioner Christiaens moved to approve the Neighborhood Stabilization Program Contract Amendment #MT-NSP-018-01-001C which expands the ending date of the program to March 19, 2013 and providing funding for the 16 N. Virginia, Conrad project. Commissioner Johnson seconded; motion carried. (Commissioner Broesder absent)

NEIGHBORHOOD STABILIZATION PROGRAM GRANT CONTRACT AMENDMENT APPROVED – September 15, 2010

Commissioner Christiaens moved to approve the Neighborhood Stabilization Program Contract Amendment #MT-NSP-018-01-001A-1 which provides additional funding to complete the 219 1st Ave NE, Brady. Commissioner Johnson seconded; motion carried. (Commissioner Broesder absent)

MSU EXTENSION AGREEMENT AND SALARY VERIFICATION APPROVED – September 15, 2010

Commissioner Christiaens moved to approve the Montana State University (MSU) Extension Services Agreement and Salary Verification form for fiscal year 2010-11. Commissioner Johnson seconded; motion carried. (Commissioner Broesder absent)

PURCHASE OF WALK-IN COOLER COMPONENTS APPROVED – September 15, 2010

Commissioner Christiaens moved to purchase walk-in cooler components with new compressor from Vern and Myrna Monroe of Valier at a cost not to exceed \$1,000. The cooler will be used at the community and senior center currently being remodeled. Commissioner Johnson seconded; motion carried. (Commissioner Broesder absent)

OFFER TO PURCHASE KITCHEN FURNISHINGS APPROVED – September 15, 2010

Commissioner Christiaens moved to compile and offer to the Dutton-Brady School District to purchase various items of kitchen equipment, tables, etc. The District has agreed to sell the items for use in the community and senior center currently being remodeled. The District did not set prices for the items but requested the County present them with an offer for each item to be considered. Commissioner Johnson seconded; motion carried. (Commissioner Broesder absent)

PROPOSED BUDGET REVIEW – September 15, 2010

Commissioner Johnson noted that the hearing on the proposed budget was conducted on August 25, 2010 and the Commissioners met with the Department Heads regarding their budget requests. The result of the budget review process is a status quo budget with no unusual or unanticipated expenditures. The expenditure requests from the departments are generally the same as the previous fiscal year, allowing for inflation and a 1% salary increase. Expenditures for liability insurance and workers' compensation will increase over last year. As in the past, money in the capital improvement funds will be used to purchase equipment and complete the interchange connecting road and purchase vehicles for the sheriff's department. The county will use money in the ambulance capital improvement fund to pay for a portion of the cost of the new ambulance. Late last fiscal year the County received grants for the community and senior center which are reflected in the budget for fiscal year 2010-11. These grants are the ARRA Energy Grant (\$200,000) and the Community Development Block Grant (\$450,000). The budget for last fiscal year included the HB645 grant of \$147,656 and the Brady County Water and Sewer District CDBG grant of \$322,000. The HB645 grant will be completed by September 30, 2010 and the water and sewer district grant funding was spent during the previous fiscal year. Tax revenues are calculated using the formula authorized under Montana law and taxpayers will notice a slight increase in the county portion of their tax bill.

Overall, the budget for fiscal year 2010-11 will increase from last year by \$423,711. However, the increase will be from non-levied funds such as grants and not from tax revenue.

RESOLUTION #4 – APPROVING COUNTY BUDGET FOR FISCAL YEAR 2010-11
– ADOPTED – September 15, 2010

PONDERA COUNTY, MONTANA
RESOLUTION NO. 4- 2010/11
APPROVING FINAL BUDGET FOR PONDERA COUNTY
FOR FISCAL YEAR 2010-11

WHEREAS, pursuant to Sections 7-6-4021, 7-6-4024 and 7-6-4030, MCA, the Board of County Commissioners of Pondera County, Montana, has held a public hearing and passed resolutions as applicable on the proposed budget of Pondera County for fiscal year 2010-11 as required by law; and

WHEREAS, Sections 7-6-4034 through 7-6-4036, MCA, provide for the fixing of various tax levies to raise funds sufficient to meet said expenditures authorized in the budget; and

WHEREAS, amendments to the final budget may be made throughout the fiscal year as provided in 7-6-4031; and

WHEREAS the Department of Revenue has provided the County with the certified value of a mill in each taxing jurisdiction in the County, as \$13,361 countywide and \$10,822 rural; and

NOW, THEREFORE, BE IT RESOLVED that the final county budget as set out below be, and the same is, hereby adopted as the final budget for fiscal year 2010-11 and that warrants be issued in accordance with laws appertaining thereto.

COUNTYWIDE

Assessed Valuation: 402,010,666
 Tax Valuation: 13,361,116
 1 Mill Yields: 13,361

FUND NO.	FUND NAME	BUDGETED EXPENDITURES	MILL LEVY	VOTED MILL LEVY
1000	GENERAL	1,394,346	48.30	
2130	BRIDGE	351,020	14.920	
2140	WEED	119,411	2.710	
2160	COUNTY FAIR	4,860	.200	
2190	COMP INSURANCE	237,521	11.500	
2220	COUNTY LIBRARIES (REGULAR LEVY)	48,810	1.900	
2230	AMBULANCE	27,750	1.470	
2235	COUNTY HOSPITAL	250,000	7.000	
2280	SENIOR CITIZENS	29,000	1.800	
2290	EXTENSION	101,321	5.600	
2300	PUBLIC SAFETY	1,061,843	32.000	
2370	RETIREMENT	178,054	6.400	
2371	GROUP HEALTH	192,165	11.700	
TOTALS		3,996,101	145.500	

COUNTYWIDE VOTED LEVIES

Assessed Valuation: 402,010,666
 Tax Valuation: 13,361,116
 1 Mill Yields: 13,361

FUND NO.	FUND NAME	BUDGETED EXPENDITURES	MILL LEVY	VOTED MILL LEVY
2220	COUNTY LIBRARIES (VOTED LEVY)	99,860		7.474
3010	HOSPITAL DEBT SERVICE	200,000		5.500
7340	PORT AUTHORITY	78,689		4.000
TOTALS		378,549		16.974

RURAL

Assessed Valuation: 320,607,744
 Tax Valuation: 10,822,687
 1 Mill Yields: 10,822

FUND NO.	FUND NAME	BUDGETED EXPENDITURES	MILL LEVY	VOTED MILL LEVY
2110	ROAD	995,947	33.210	
7200	RURAL FIRE (REGULAR LEVY)	163,500	5.130	
7200	RURAL FIRE (VOTED LEVY)	20,894		1.931
		1,180,341	38.340	1.931

SPECIAL DISTRICTS

CEMETERY DISTRICT #1 (VALIER)				
Assessed Valuation:		124,489,909		
Tax Valuation:		4,003,897		
1 Mill Yields:		4,003		
7203	CEMETERY DISTRICT #1	25,000	3.590	

CEMETERY DISTRICT #2 (CONRAD)				
Assessed Valuation:		277,520,757		
Tax Valuation:		9,357,219		
1 Mill Yields:		9,357		
7201	CEMETERY DISTRICT #2	83,500	6.940	

CONSERVATION DISTRICT			
Assessed Valuation:			
Tax Valuation:		7,296,602	
1 Mill Yields:		7,296	
7206	SOIL CONSERVATION	66,099	2,540

NON-LEVIED FUNDS

FUND NO.	FUND NAME	BUDGETED EXPENDITURES
2150	PREDATORY ANIMAL	3,227
2170	AIRPORTS	32,000
2260	EMERGENCY DISASTER	5,416
2262	EMERGENCY SNOW REML	20,459
2390	DRUG FORFEITURE	9,970
2393	RECORDS PRES	37,923
2401	BRADY LIGHTS	4,000
2800	ALCOHOL REHAB	13,160
2811	DUI PREVENTION	5,915
2820	GAS APPORTIONMENT TAX	145,907
2830	JUNK VEHICLE	8,383
2840	NOXIOUS WEED	51,963
2850	911 EMERGENCY	151,696
2859	COUNTY LAND INFORMATION	8,018
2860	LAND USE PLANNING	8,200
2865	OIL & GAS P&A GRANT	100,000
2894	STATE ALLOCATED FED ROYALTY	48,183
2897	OIL & GAS ACCELER	16,501
2902	FOREST RESERVE, TITLE III	65,375
2917	VICTIM & WITNESS ADVOC	4,443
2927	HOMELAND SECURITY GRANT	10,259
2938	WILDLIFE EXTENSION GRANT	3,000
2943	CDBG – GROWTH PLAN	24,086
2945	CDBG – COMMUNITY CENTER	449,614
2946	NEIGHBORHOOD STABILIZATION GRANT	770,551
2955	BUCKLE UP MT GRANT	34,240
2958	DES GRANTS	192,041
2968	BREAST/ CERVICAL HEALTH	8,611
2971	WIC	30,399
2973	MCH	14,399
2976	IAP	6,448
2978	TOBACCO USE PREVENTION GRANT	35,098
2979	NAPA GRANT	2,732
2990	HB645 MT RECOVERY ACT	73,580
2991	ARRA ENERGY GRANT	200,000
4009	PUBLIC SAFETY CAP IMP	63,500
4010	JUNK VEH CAP	14,569
4011	AMBULANCE CAP	86,836
4012	GEN FUND CAP	61,093
4013	ROAD/BRIDGE CAP	473,130
4014	WEED DISTRICT CAP IMP	39,515
8010	CEMETERY DIST #2 PERPETUAL CARE	26,863
	TOTAL	3,361,303

LEVIED FUNDS	\$ 5,729,590
NON-LEVIED FUNDS	<u>3,361,303</u>
GRAND TOTAL	\$ 9,090,893

BE IT FURTHER RESOLVED that the final budget may be amended throughout the fiscal year as provided in 7-6-4031, MCA.

Adopted this 15th day of September, 2010 as moved by Commissioner Christiaens, seconded by Commissioner Johnson, and passed on a 2-0 vote of the board. Effective July 1, 2010.

BOARD OF COUNTY COMMISSIONERS

(absent)
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

RESOLUTION #5 – COUNTY CLASSIFICATION APPROVED – ADOPTED –
September 22, 2010

PONDERA COUNTY, MONTANA
RESOLUTION NO. 5 – 2010/11

RESOLUTION DESIGNATING COUNTY CLASSIFICATION FOR
PONDERA COUNTY FOR FISCAL YEAR 2010-2011

WHEREAS, Section 7-1-2112, MCA, directs the county commissioners to designate the class to which the county belongs as determined by the taxable valuation of the county for the year in which such order is made, in accordance with Section 7-1-2111, MCA; and

WHEREAS, the taxable valuation of Pondera County for fiscal year 2010-11 totals \$19,759,618;

NOW, THEREFORE, BE IT RESOLVED by the Pondera County Board of Commissioners that Pondera County is designated a Fourth Class county, such classification being effective on the first Monday in January, 2011.

Adopted this 22nd day of September, 2010 as moved by Commissioner Christiaens, seconded by Commissioner Johnson, and passed on a unanimous vote of the full board. Effective January 3, 2011.

BOARD OF COUNTY COMMISSIONERS

/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

SCHOOL DISTRICT LEVIES ACCEPTED – September 22, 2010

Superintendent of Schools, Josephine Stone, prepared a spreadsheet of school district levies to be certified for tax levies for the 2010 tax year. Commissioner Johnson seconded; motion carried.

EXPENDITURE FOR COOLER FOR COMMUNITY CENTER TO BE PAID FROM OIL AND GAS SEVERANCE FUND – September 22, 2010

Commissioner Johnson moved to pay for the cooler components to be installed at the community and senior center from the Oil and Gas Severance fund. Commissioner Christiaens seconded; motion carried.

DATE AND TIME SET FOR HEARING ON PROPOSED CLOSING OF OFFICES THE DAY AFTER THANKSGIVING- September 22, 2010

Commissioner Christiaens moved to set Wednesday, October 13, 2010 at 10:00 a.m. in the Commissioners' office as the date and time for a hearing on the proposed closing of county offices on the day after Thanksgiving, Friday, November 26, 2010. Commissioner Johnson seconded; motion carried.

RESOLUTION OF INTENT TO DISSOLVE DUPUYER AND VALIER TV DISTRICTS – September 22, 2010

The commissioners have received a letter from the Dupuyer TV District requesting the District be dissolved and the equipment for service for the Valier TV District has been removed. Commissioner Johnson moved to adopt a resolution of intent to dissolve the two TV districts and to provide notice of a hearing on the proposal. Commissioner Christiaens seconded; motion carried.

DATE AND TIME SET FOR HEARING ON INTENT TO DISSOLVE DUPUYER AND VALIER TV DISTRICTS- September 22, 2010

Commissioner Christiaens moved to set Wednesday, October 20, 2010 at 5:30 P.M. in the Commissioners' office as the date and time for a hearing on the intent to dissolve the Dupuyer and Valier TV districts. Commissioner Johnson seconded; motion carried.

RESOLUTION #6 – ESTABLISHING INTENT TO DISSOLVE VALIER TV DISTRICT – ADOPTED – September 22, 2010

PONDERA COUNTY, MONTANA
RESOLUTION NO. 6 - 2010/11

ESTABLISHING INTENT TO DISSOLVE THE VALIER TV DISTRICT

WHEREAS, Section 7-11-1029, MCA, grants the Board of County Commissioners the power and authority to dissolve a special district if it is considered to be in the best interest of a local government or the inhabitants of the local government or if the purpose for creating the special district has been fulfilled and the special district is not needed in perpetuity; and

WHEREAS, the Valier TV District has ceased functioning, the equipment has been removed from the tower site and the purpose for creating the special district has been fulfilled and the special district is not needed in perpetuity; and

WHEREAS, it is the intent of the Pondera County Commissioners to dissolve the Valier TV District, encompassing the following legal description:

Township 29 North, Range 4 West:

Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22

Township 30 North, Range 4 West:

Sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, S2 of Section 23, S2 of Section 24, all of Sections 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36

Township 31 North, Range 4 West:

The portions of Sections 5, 6, 7 and 8 lying south of the centerline of the Marias River, all of Sections 17, 18, 19, 20, 29, 30, 31, 32

Township 31 North, Range 5 West:

All 36 Sections, except the portions of Sections 1 and 2 lying north of the centerline of the Marias River

Township 30 North, Range 5 West

All 36 Sections

Township 29 North, Range 5 West:

Sections 1 through 25, inclusive

Township 31 North, Range 6 West:

All 36 Sections

Township 30 North, Range 6 West:

All 36 Sections

Township 29 North, Range 6 West:

All 36 Sections

Township 28 North, Range 6 West:

Lots 3 and 4, and S2NW4 of Section 1, all of Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31 and W2 of Section 32

and that the following description is the complete description of the boundaries of said television district, to-wit:

Beginning at the Northeast corner of Section 25, Twp. 29 North, Range 5 West; thence East 4 miles to the Southeast corner of Section 22, Twp. 29 North, Range 4 West; thence North 3 miles to the Northeast corner of Section 10, Twp. 29 North, Range 4 West; thence East 1 mile to the Southeast corner of Section 2, Twp. 29 North, Range 4 West; thence North 1 mile to the Northeast corner of Section 2, Twp. 29 North, Rge. 4 West; thence East 1 mile to the Southeast corner of Section 36, Twp. 29 North, Range 4 West; thence North 2-1/2 miles to the Northeast corner of the SE4 of Section 24, Twp. 30 North, Rge. 4 West; thence West 2 miles along the center line of Section 24 and Section 23 to the Northwest corner of the SW4 of Section 23, Twp. 30 North, Range 4 West; thence North 3-1/2 miles to the Northeast corner of Section 3, Twp. 30 North, Range 4 West; thence West 2 miles to the Northeast corner of Section 5, Twp. 30 North, Range 4 West; thence North 5 miles to the Northeast corner of Section 8, Twp. 31 North, Range 4 West; thence in a westerly direction along the county line to Northwest corner of Section 6, Twp. 31 North, Range 6 West, thence South following the Township line between

Range 6 West and Range 7 West, including the Township correction lines a distance of approximately 24 miles South to the Southwest corner of Section 31Twp. 20 North, Rge. 6 West, M.P.M.; thence East 1-1/2 miles along the South boundary line of said Section 31 and along the South boundary line of SW4 of Section 32, Twp. 28 North, Rge. 6 West, M.P.M. to the Southeast corner of SW4 of said Section 32; thence North 1 mile along the centerline of said Section 32 to the Northwest corner of NE4 of said Section 32; thence East 1-1/2 miles to the Southeast corner of Section 28, Twp. 28 North, Rge 6 West; thence North 3 miles to the Southeast corner of Section 9, Twp. 28 North, Rge. 6 West; thence East 2 miles to the Southeast corner of Section 11, Twp. 28 North, Range 6 West; thence North 1-1/2 miles to the Southwest corner of the NW4 of Section 1, Twp. 28 North, Range 6 West; thence East ½ mile to Southeast corner of NW4 of said Section 1; thence North ¾ miles to the north line of said Section 1; thence East along the north section line of said Section 1 a distance of about 750 feet to point where East line of Section 36, Twp. 29 North, Range 6 West intersects; thence North 1 mile to the Northeast corner of Section 36, Twp. 29 North, Range 6 West; thence East 6 miles to the Northeast corner of Section 36, Twp. 29 North, Range 5 West; thence North 1 mile to the point of beginning.

WHEREAS a public hearing will be conducted on this resolution on Wednesday, October 27, 2010 at 5:30 p.m. in the office of the Pondera County Commissioners. Notice of the hearing will be published in the Independent Observer and The Valierian for two consecutive weeks on October 13 and 20, 2010; and

WHEREAS, the resolution dissolving the Valier TV District will be passed at the Regular Meeting of the Commissioners on November 3, 2010 unless the Clerk and Recorder receives written protest, in advance, from 40% of registered voters or 40% of the owners of real property in the district.

NOW, THEREFORE, BE IT RESOLVED by the Pondera County Board of Commissioners that the Board intends to dissolve the Valier TV District following a public hearing to be conducted on Wednesday, October 27, 2010 at 5:30 p.m. in the office of the Pondera County Commissioners.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Pondera County Clerk and Recorder publish notice of the hearing in the Independent Observer and The Valierian for two consecutive weeks on October 13 and 20, 2010; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the resolution of dissolution will be adopted on November 3, 2010 unless the Clerk and Recorder receives written protest, in advance, from 40% of registered voters or 40% of the owners of real property in the district.

Adopted this 22nd day of September, 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.

BOARD OF COUNTY COMMISSIONERS

/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

RESOLUTION #6 – ESTABLISHING INTENT TO DISSOLVE DUPPUYER TV DISTRICT – ADOPTED – September 22, 2010

PONDERA COUNTY, MONTANA

RESOLUTION NO. 7 - 2010/11

ESTABLISHING INTENT TO DISSOLVE THE DUPUYER TV DISTRICT

WHEREAS, Section 7-11-1029, MCA, grants the Board of County Commissioners the power and authority to dissolve a special district if it is considered to be in the best interest of a local government or the inhabitants of the local government or

if the purpose for creating the special district has been fulfilled and the special district is not needed in perpetuity; and

WHEREAS, the Board of the Dupuyer TV District has requested the Commissioners dissolve the district and the purpose for creating the special district has been fulfilled and the special district is not needed in perpetuity; and

WHEREAS, it is the intent of the Pondera County Commissioners to dissolve the Dupuyer TV District, encompassing the following legal description:

Commencing at the Northeast Corner of Section 24, Township 29 North, Range 7 West; thence West along the North Boundary lines of Sections 24, 23, 22, 21 and 20, Township 29 North, Range 7 West to the Northwest Corner of said Section 20; thence North along the East Boundary lines of Sections 18, 7 and 6, Township 29 North, Range 7 West and the East boundary line of Section 31, Township 30 North, Range 7 West to the South Boundary line of Birch Creek; thence in a Southwesterly direction along the South Boundary line of Birch Creek commencing in said Section 31, Township 30 North, Range 7 West and meandering through Sections 1, 12, 11, 14, 22, 23, 27, 28, 29 and 30, Township 29 North, Range 8 West and Sections 25, 36, 35 and 34, Township 29 North, Range 9 West and through Sections 3, 4, 9, 8, 7 and 18, Township 28 North, Range 9 West and through Sections 13, 24, 23 and 27, Township 28 North, Range 10 West to the West line of said Section 27; thence South along the West Boundary line of Sections 27 and 34, Township 28 North, Range 10 West approximately two (2) miles to the Southwest Corner of Section 34, Township 28 North, Range 10 West; thence East along the South Boundary lines of Sections 34, 35 and 36, Township 28 North, Range 10 West and continuing East along the South Boundary lines of Sections 31, 32, 33, 34, 35 and 36, Township 28 North, Range 10 West and continuing East along the South Boundary lines of Sections 31, 32, 33, 34, 35 and 36, Township 28 North, Range 9 West and the South Boundary lines of Sections 31, 32, 33, 34, 35 and 36, Township 28 North, Range 8 West and continuing East along the South Boundary lines of Sections 31, 32, 33, 34, 35 and 36, Township 28 North, Range 7 West and continuing East along the South Boundary line of Section 31 and the West one-half of Section 32, Township 28 North, Range 6 West to the Southeast Corner of the Southwest Quarter of said Section 32; thence North along the East Boundary line of said Southwest Quarter of said Section 32 to the Northeast Corner of the Southwest Quarter thereof; thence West along the North Boundary line of said Southwest Quarter of Section 32 and continuing West along the North Boundary line of the South one-half of said Section 31 to the Northwest Corner of the South one-half of said Section 31; thence North along the East Boundary lines of Sections 36, 25, 24, 13, 12 and 1, Township 28 North, Range 7 West; thence West on the North Boundary line of Section 1, Township 28 North, Range 7 West to the Southeast Corner of Section 36, Township 29 North, Range 7 West; thence North along the East Boundary line of Sections 36, 25 and 24, Township 29 North, Range 7 West to the Northeast Corner of said Section 24 to the point of beginning. All of which is located in Pondera County, Montana.

WHEREAS a public hearing will be conducted on this resolution on Wednesday, October 27, 2010 at 5:30 p.m. in the office of the Pondera County Commissioners. Notice of the hearing will be published in the Independent Observer and The Valerian for two consecutive weeks on October 13 and 20, 2010; and

WHEREAS, the resolution dissolving the Valier TV District will be adopted at the Regular Meeting of the Commissioners on November 3, 2010 unless the Clerk and Recorder receives written protest, in advance, from 40% of registered voters or 40% of the owners of real property in the district.

NOW, THEREFORE, BE IT RESOLVED by the Pondera County Board of Commissioners that the Board intends to dissolve the Dupuyer TV District following a public hearing to be conducted on Wednesday, October 27, 2010 at 5:30 p.m. in the office of the Pondera County Commissioners.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Pondera County Clerk and Recorder publish notice of the hearing in the Independent Observer and The Valerian for two consecutive weeks on October 13 and 20, 2010; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the resolution of dissolution will be passed on November 3, 2010 unless the Clerk and Recorder receives written protest, in advance, from 40% of registered voters or 40% of the owners of real property in the district.

Adopted this 22nd day of September, 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.

BOARD OF COUNTY COMMISSIONERS

/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

NO MEETING SEPTEMBER 29, 2010 AS ALL COMMISSIONERS WERE IN ATTENDANCE AT THE MONTANA ASSOCIATION OF COUNTIES FALL CONFERENCE

CLAIMS APPROVED FOR PAYMENT

FUND	AMOUNT
GENERAL	\$ 17,339.70
ROAD	16,505.08
BRIDGE	3,086.55
WEED	1,761.67
AIRPORT	236.69
AMBULANCE	125.49
EXTENSION SERVICE	4,612.58
PUBLIC SAFETY (LAW ENFORCEMENT)	8,662.23
HEALTH INSURANCE - EMPLOYER CONTRIBUTION	745.04
BRADY LIGHTS MAINTENANCE	312.13
GAS APPORTIONMENT TAX	1,000.00
911 EMERGENCY	7,049.02
LAND USE PLANNING	545.00
OIL & GS SEVERANCE ACC TAX	1,000.00
HOMELAND SECURITY EOP GRANT	63.91
CDBG - COMMUNITY CENTER	2,492.74
DES GRANTS	15.41
WIC GRANT	59.62
MATERNAL CHILD HEALTH	10.81
TOBACCO USE PREVENTION GRANT	12.57
HB645 MT RECOVERY ACT	65,955.58
ROAD/BRIDGE CAPITAL IMPROVEMENT	34,107.00
REFUND FUND	127.12
TOTAL CLAIMS	\$ 165,825.94
TOTAL PAYROLL	190,532.09
TOTAL CLAIMS AND PAYROLL FUNDS	356,358.03

CLOSING REMARKS

Each Commissioner was in attendance or attending meetings both during the day or evening – 22 days. 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 September 30, 2010.

CHAIRMAN, BOARD OF COUNTY COMMISSIONERS

SECRETARY, BOARD OF COUNTY COMMISSIONERS
PONDERA COUNTY, MONTANA