

**REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS**  
**PONDERA COUNTY, MONTANA**  
*Held in April 2024*

The Board of Pondera County Commissioners met daily in informal session and in scheduled meetings on April 3, 10, 17, and 24, 2024.

**APRIL 3, 2024 SPECIAL MEETING OF THE COMMISSION:**

PRESENT: Commissioner Thomas Kuka, Commissioner Zane Drishinski, Commissioner Jim Morren, Deputy Clerk & Recorder Tammy Bartsch, Public – Paul Anderberg

REVISED JOB DESCRIPTIONS APPROVED

Commissioner Drishinski moved to approve the revised job description for Building/Grounds Maintenance for the Maintenance Department. Commissioner Kuka seconded. Motion carried.

RESOLUTION ON AUTHORIZING PROSECUTORIAL ASSISTANCE IN DISTRICT AND JUSTICE COURT CASES

**PONDERA COUNTY MONTANA**  
RESOLUTION #34 – 2023/24  
AUTHORIZING PROSECUTORIAL ASSISTANCE  
IN DISTRICT AND JUSTICE COURT CASES

WHEREAS, the Pondera County Attorney has requested general prosecutorial assistance periodically throughout the fiscal year because of her periodic absence from the county for vacations or training; and

WHEREAS, it is desired and deemed appropriate that a special deputy county attorney/conflict attorney be appointed to assist in the prosecution of any matters that might require an experienced prosecutor; 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 necessary cases pending 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 when required and authorized Jennifer Stutz; Deputy Teton County Attorney to also act as a Special Deputy Pondera County Attorney/Conflict Attorney;

NOW, THEREFORE, BE IT RESOLVED: That the Teton County Attorney, Joe Coble, and Deputy Teton County Attorney, Jennifer Stutz, shall be appointed as special deputy county attorneys/conflict attorneys for Pondera County for the purpose of assisting in prosecution of any matters that may arise from March 20, 2024, through June 30, 2025, and that they can fulfill the functions set out in Mont. Code Ann. Section 44-4-103.

BE IT FURTHER RESOLVED: That under the terms of this agreement, attorney time provided by the special prosecutors/conflict attorneys shall be paid at the rate of \$100 per hour. Witness fees and expense, jury costs, and other normal costs associated with the prosecution will be the county's responsibility as with all other prosecutions.

Adopted this 3<sup>rd</sup> day of April, 2024 as moved by Commissioner, Kuka, seconded by Commissioner Drishinski, and passed on a 3-0 vote of the full board. Effective March 20, 2024

BOARD OF COUNTY COMMISSIONERS  
Pondera County, Montana

/s/ Jim Morren  
Jim Morren, Chairman

/s/ Thomas A Kuka  
Thomas A Kuka, Member

Attest: /s/ Kody L Farkell  
Kody L Farkell, Clerk & Recorder

/s/ Zane Drishinski  
Zane Drishinski, Member

RESOLUTION AUTHORIZING PROSECUTORIAL ASSISTANCE IN DISTRICT AND JUSTICE COURT CASES

**PONDERA COUNTY MONTANA**  
RESOLUTION #35 – 2023/24  
AUTHORIZING PROSECUTORIAL ASSISTANCE  
IN DISTRICT AND JUSTICE COURT CASES

WHEREAS, the Pondera County Attorney has requested general prosecutorial assistance periodically throughout the fiscal year because of her periodic absence from the county for vacations or training; and

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 require an experienced prosecutor; 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 necessary cases pending in the Ninth Judicial District Court, Pondera County, and the Pondera County Justice Court; and

WHEREAS, Merle J. Raph, Toole County Attorney, has agreed to act as a Special Deputy Pondera County; THEREFORE,

NOW, THEREFORE, BE IT RESOLVED: That the Toole County Attorney, Merle J. Raph, shall be appointed as special deputy county attorneys for Pondera County for the purpose of assisting in prosecution of any matters that may arise from March 20, 2024 through June 30, 2025, and that he can fulfill the functions set out in Mont. Code Ann. Section 44-4-103.

BE 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 any matters at the Montana State rate and per diem at the state rate. Witness fees and expense, jury costs, and other normal costs associated with the prosecution will be the county's responsibility as with all other prosecutions.

Adopted this 3<sup>rd</sup> day of April, 2024 as moved by Commissioner Drishinski, seconded by Commissioner Kuka, and passed on a 3-0 vote of the full board. Effective March 20, 2024.

BOARD OF COUNTY COMMISSIONERS  
Pondera County, Montana

/s/ Jim Morren  
Jim Morren, Chairman

/s/ Thomas A Kuka  
Thomas A Kuka, Member

Attest: /s/ Kody L Farkell  
Kody L Farkell, Clerk & Recorder

/s/ Zane Drishinski  
Zane Drishinski, Member

RESOLUTION ON AUTHORIZING BUDGET AMENDMENTS TO PONDERA COUNTY BUDGET

**PONDERA COUNTY MONTANA  
RESOLUTION #36 – 2023/24**

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 correction 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 Amount	Description	Prior Amount	New
2995-101-410156-939	ARPA (COVID-19)	\$619,853	\$0
2995-101-440156-939	ARPA (COVID-19)	\$0	\$619,853

Adopted this 3<sup>rd</sup> day of April, 2024 as moved by Commissioner Kuka, seconded by Commissioner Drishinski, and passed on a 3-0 vote of the board. Effective on passage and approval.

**BOARD OF COUNTY COMMISSIONERS  
Pondera County, Montana**

/s/ Jim Morren  
Jim Morren, Chair

/s/ Thomas A Kuka  
Thomas A Kuka, Member

ATTEST: /s/ Kody L Farkell  
Kody L Farkell, Clerk and Recorder

/s/ Zane Drishinski  
Zane Drishinski, Member

EXTENSION OF EXCESS VACATION

Commissioner Drishinski moved and Commissioner Kuka seconded to approve an extension for Doug Taft on request from department head, to use his excess vacation hours by August 15, 2024. Motion carried.

SENATE BILL 442-MARIJUANA REVENUE FOR COUNTY ROADS SUPPORT

Commissioner Drishinski moved and Commissioner Kuka seconded to sign and support a letter from Montana Association of Counties on Senate Bill 442-Marijuana revenue for county roads. Commissioners also agreed to post the support in the local newspapers. Motion carried.

**APRIL 10, 2024 SPECIAL MEETING OF THE COMMISSION:**

PRESENT: Commissioner Thomas Kuka, Commissioner Zane Drishinski, Commissioner Jim Morren, Clerk & Recorder Kody Farkell, Deputy Clerk & Recorder Tammy Bartsch, Public – Paul Anderberg

SERVICE CONTRACT WITH PREFERRED OFFICE EQUIPMENT INC.

Commissioner Drishinski moved and Commissioner Kuka seconded on a service contract with Preferred Office Equipment Inc. for the two (2) new copiers in the Clerk & Recorder office and Attorney’s office. Contract states the monthly price will be \$23.00 per month for toners, calls, parts and travel. Motion carried.

DESIGNATION OF SUBSTANCE USE DISORDER (SUD) SERVICE PROVIDER

Commissioner Drishinski moved and Commissioner Kuka seconded to designate Many Rivers Whole Health as Pondera County's SUD Service Provider of outpatient alcohol rehabilitation services for fiscal year 2024-25. The source of funding for this program is the State of Montana earmarked revenue. Motion carried.

BRIDGE REPAIR PROJECT

Commissioner Kuka moved and Commissioner Drishinski seconded the Scope of Work review with Stahly Engineering on five bridge repairs with Pondera County. Fees for the professional services will be \$49,000.00, that will be reimbursed by a MDT grant. Motion carried.

DATE AND TIME SET FOR PUBLIC HEARING ON COMMISSIONER'S APPROVAL ON THE COUNTY GROWTH POLICY

Commissioner Drishinski moved and Commissioner Kuka seconded to set a date, time, and place for a public hearing on Commissioner's approval on the Pondera County Growth Policy for May 15, 2024 at 10:00 am in the Commissioner's office. Motion carried.

TREASURER'S SECURITIES REPORT

The following are the investments as of March 31, 2024

**STIP** \$6,002,000.00 @ 5.3599911%

**STOCKMAN BANK BALANCES \$6787451.83**

**STOCKMAN BANK –Collateral Report**

3133GDCV0	\$1,132,993.10	FHLMC Pool	1.50%	05/01/2036
3136AY6S7	\$279,144.20	FNA	2.53%	11/25/2024
3132D56U1	\$1,045,735.10	FHLMC Pool #S	1.50%	01/01/2036
3130AF4W4	\$865,000.00	FED HOME LN	4.10%	10/24/2033
3130AVQY1	\$5,155,000.00	FED HOME LN	5.20%	04/26/2024
3130ARNT4	\$2,000,000.00	FED HOME LN	4.00%	04/29/2027
3140XJTX1	\$440,293.27	FNMA POOL #F	1.50%	04/01/2036

**RAYMOND JAMES**

07371AYT4	\$250,000.00	2.05%	Due 02/24/2027(CD)
795451AN3	\$250,000.00	1.05%	Due 08/18/2026 (CD)

**INDEPENDENCE BANK**

CDARS 1027617995	08/08/24	4.96505%	\$500,000.00
CDARS 1027922232	10/10/24	4.48806%	\$500,000.00
CDARS 1026239644	08/29/24	2.54736%	\$250,000.00
CDARS 1028058981	11/07/24	4.49763%	\$500,000.00
CDARS 1027711673	08/28/25	4.36367%	\$1,000,000.00
CDARS 1027778727	09/10/26	4.08565%	\$500,000.00
1028735436	04/18/24	4.94599%	\$250,000.00
1028593917	05/23/24	4.87934%	\$250,000.00

**BUCHANAN CAPITAL**

FHLB	3130AQQZ0	07/25/24	1.06%	\$250,000.00
AMERICAN EXPRESS	02589ADS8	08/19/24	3.35%	\$250,000.00
UBS BANK USA	90348JZ37	01/13/25	0.85%	\$250,000.00
FHLB	3130AQHF3	01/27/25	1.125%	\$250,000.00
FHLB	3130AQJM6	01/28/25	1.25%	\$250,000.00
JBMORGAN CHASE &	48128WFM2	04/17/25	0.95%	\$250,000.00
FHLB	3130AQKB8	12/26/25	1.375%	\$250,000.00
NICOLET NTNL BANK	654062LB2	03/28/25	4.10%	\$250,000.00
DISCOVER BANK	254673U46	10/05/26	4.3%	\$250,000.00
WELLS FARGO	949764DA9	07/07/25	5.00%	\$250,000.00
FIRST FOUNDATION	32026UT22	07/14/26	4.65%	\$250,000.00
SCHWAB-MORGAN ST	61690DCU0	02/24/25	5.20%	\$250,000.00

Schwab-American Co	02519ABT3	04/02/26	5.20%	\$250,000.00
Schwab-Synchrony	87165E3T2	11/03/26	5.10%	\$250,000.00
Schwab-First Prem	33610RUZ4	11/10/26	5.10%	\$250,000.00
Interntnl Bank of	45906AEC7	01/26/27	4.10%	\$250,000.00
Sauk Valley Bank	804375EA7	01/29/27	4.15%	\$250,000.00

**APRIL 17, 2024 SPECIAL MEETING OF THE COMMISSION:**

PRESENT: Commissioner Thomas Kuka, Commissioner Zane Drishinski, Commissioner Jim Morren, Clerk & Recorder Kody Farkell, Deputy Clerk & Recorder Tammy Bartsch, Public – Paul Anderberg, and the Planning Board; Ron Jones, Kenneth Wheeler Sr., Robert Skorupa, Mark Grubb

Public Comment-

Pondera County Planning Board discussed and gave a recommendation for the Growth Policy for Pondera County. Robert Skorupa moved to make a recommendation to keep the Growth Policy as written and Mark Grubb seconded.

MARCH COMMISSION MINUTES APPROVED

Commissioner Kuka moved and Commissioner Drishinski seconded to approve the March 2024 Minutes of the Commission. Motion carried.

**APRIL 24, 2024 SPECIAL MEETING OF THE COMMISSION:**

PRESENT: Commissioner Thomas Kuka, Commissioner Zane Drishinski, Commissioner Jim Morren, Clerk & Recorder Kody Farkell, Deputy Clerk & Recorder Tammy Bartsch, DES Coordinator Morgan Johnson, Public – Angela Otero

Public Comment-

Continued discussion on the Calumet/ MT Renewables waste water outside of Valier.

GROUP HEALTH INSURANCE RENEWAL APPROVED

Renewal rates and the County’s contribution toward premiums was discussed. Commissioner Kuka moved to renew the County’s current plan with Joint Powers Trust committing to continue to offer four options to the employees, a traditional medical plan with a \$1,000 deductible, a traditional medical plan with a \$1,500 deductible, a high deductible option with \$3,200 first-pay option and a high deductible option with a \$3,500 first-pay option. The County contribution for employee-only coverage will be \$1,095.62 for full-time employees and a pro-rated portion of \$1,095.62 for part-time employees. Commissioner Drishinski seconded. Motion carried.

FIVE YEAR CAPITAL IMPROVEMENT PLAN FOR CONRAD AIRPORT

The FAA has requested an updated capital improvement plan for the Conrad Airport. Projects undertaken for the capital improvement plan are funded by federal, state funding and county matching funds.

Commissioner Kuka moved to approve the capital improvement plan. 90% of the funding will be coming from the FAA Grant. Commissioner Drishinski seconded. Motion carried.

REVISED JOB DESCRIPTIONS APPROVED

Commissioner Drishinski moved to approve the revised job description for the Legal Assistant for the County Attorney office. Commissioner Kuka seconded. Motion carried.

CLAIMS APPROVED FOR PAYMENT

<u>FUND</u>		
Fund	Fund Description	
1000	GENERAL	24,857.85
2110	ROAD	32,641.07
2130	BRIDGE	9,547.46
2131	MDT BRIDGE RAPID REPAIR	4,467.19

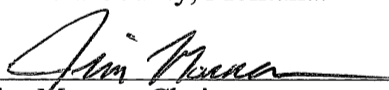
2140	WEED	1,978.62
2160	COUNTY FAIR	3,046.91
2170	AIRPORT	25,812.64
2230	AMBULANCE	236.35
2290	EXTENSION SERVICE	6,421.75
2300	PUBLIC SAFETY (LAW ENFORCEMENT)	18,327.94
2393	RECORDS PRESERVATION	1,176.57
2401	BRADY LIGHTS MAINTENANCE	305.75
2821	ENHANCED GAS TAX (BARSAR)	12,152.18
2830	JUNK VEHICLE	12.89
2850	911 EMERGENCY	1,450.96
2860	LAND USE PLANNING	847.25
2862	PONDERA CO GROWTH POLICY	844.25
2866	NORTHERN TRANSIT INTERLOCAL	330.42
2917	VICTIM & WITNESS ADV PROG	49.00
2958	EP (DES) GRANTS	527.88
2964	ALLIANCE FOR YOUTH	930.78
2971	WIC GRANT	571.04
2973	MATERNAL CHILD HEALTH	119.14
2976	IMMUNIZATION ACTION GRANT	883.33
2978	CHRONIC DISEASE GRANT	742.53
4012	GENERAL FUND CAPITAL IMP	11356.50
4013	ROAD/BRIDGE EQUIP PURCHSE	5,000.00
7920	REFUND FUND	184.76

TOTAL CLAIMS	164,823.01
	\$
TOTAL PAYROLL	330,323.53
	\$
TOTAL CLAIMS AND PAYROLL FUNDS	495,146.54

ADJOURNMENT

The meeting adjourned at 5:00 p.m. on April 30, 2024

Pondera County, Montana.

  
 Jim Morren, Chairman

ATTEST:

  
 Kody L. Parkell, Clerk & Recorder

