

**REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS
PONDERA COUNTY, MONTANA
Held in July 2018**

The Board of Pondera County Commissioners met daily in informal session and in scheduled meetings on July 5, 11, 18, and 25, 2018. Unless indicated, all Commissioners were present.

PORT AUTHORITY REPORT - July 5, 2018

Rob Cook, Executive Director, Pondera Regional Port Authority, presented the following report:



June 19, 2018

Pondera County Commissioners
Pondera County Courthouse
20 4th Ave SW
Conrad, MT 59425

Dear Commissioners;

The Pondera Regional Port Authority is respectfully requesting that the Pondera County Commissioners forgive our FY2018 loan from the PILT fund for \$12,962.50. The following are some of the projects we have worked on in the past year. We also request you dedicate the PILT fund to the Port Authority for FY2019.

Pondera Regional Port Authority is involved in the Neighborhood Stabilization Program (NSP) in which we purchase foreclosed homes and either renovate or replace them to create energy efficient housing for income qualified people. We are in the second phase of the project wherein we utilize program income from the sales of the original three houses to fund additional homes. One home has been completed in the second phase. We currently have approximately \$77,000 remaining of second tier funds which can be dedicated to a home remodel project and our plan is to utilize those funds in Valier since there are 3 homes in Conrad and one in Brady.

The Port Authority provided a low interest loan to Pondera County for completion of the airport project. To date, the County has accessed \$80,000 of the \$135,000 available.

The second Montana Transportation Alternatives Grant Application submitted in March 2017 on behalf of the City of Conrad was not successful. In response to the decision, a volunteer consortium of local government officials and members of the community, including representatives from health care agencies, worked to secure a grant for \$10,000 from Phillips 66 and a grant for \$20,000 from the state Recreational Trails Program. These grants augment existing funds for a total of \$62,000 to begin construction of a shared use path. The Port Authority will also be responsible for the preparation of a new Transportation Alternatives Grant for submittal in first quarter 2019.

The Revolving Loan Fund administered by the Pondera Regional Port Authority is a critical part of the growth of our local economy. We currently have ten loans to businesses, one loan to Pondera County, and four to homeowners under the Neighborhood Stabilization Program. Our loans have gone for business development, purchase, and expansion in Pondera County. We are working with the local banks to fund these needs to the extent we are able. We typically will take the higher risk portion of the loan by taking second position on any collateral. This is done in order to structure a deal that will work for the business and for the bank. In the past year, six new loans were made totaling \$222,649. Our loans, as of June 19, 2018 total \$418,886 with \$389,228 balance owed. Two loans were retired during the year.



The Commissioners and Cook discussed the various topics included in the letter and it was noted that the Port Authority did not request a loan in a timely manner during FY2017-18 and the fiscal year has ended. The Commissioners proposed that the County remit the amount that would have been available to loan to the Port Authority as payment toward the balance due on the County's loan from the Port Authority. In that way, the Port Authority would have the money to use in their Revolving Loan Fund. Cook will take this proposal to the Port Authority Board.

It was also stated that the County budget does not earmark the Blue Sky local payment in lieu of taxes for the Pondera Regional Port Authority, but rather for economic development.

Cook will also follow up on progress in updating the County Growth Plan that is a project of the Port Authority. The County, City of Conrad and Town of Valier pooled together for the initial Growth Plan for each government and the update was to be handled in the same manner. The need for an annual public hearing regarding economic development projects was not held in FY2017-18 and Cook will follow up with that matter, as well. Also attending: Jim Morren

ENCROACHMENT AGREEMENT APPROVED – July 5, 2018

Commissioner Kuka moved and Commissioner Seifert seconded to approve the Encroachment Agreement requested by NorthWestern Energy to extend an existing culvert on an existing approach to the Old Shelby Road. Motion carried.

Also attending: Jim Morren

NOXIOUS WEED CONTROL AGREEMENT APPROVED – July 5, 2018

Commissioner Kuka moved and Commissioner Seifert seconded to approve the Noxious Weed Control Agreement with the Montana Department of Transportation (Havre area) for Fiscal Year 2018-19. Under the Agreement, the County will receive \$20,000 for noxious weed control within the limits of the rights-of-way on state highways in the County. Motion carried.

Also attending: Jim Morren

RESOLUTION-LOAN TO FUNDS HAVING NEGATIVE CASH BALANCES AT FISCAL YEAR END-ADOPTED – July 11, 2018

PONDERA COUNTY, MONTANA

RESOLUTION #1 – 2018/19

LOAN TO FUNDS HAVING NEGATIVE CASH BALANCES AT FISCAL YEAR END

WHEREAS, generally accepted standards for governmental accounting does not allow for negative cash balances in any fund, including reimbursable grant funds, at the close of the fiscal year; and

WHEREAS, three County funds,
Fund 2866, Northern Transit Interlocal (\$2381.70),
Fund 2971, Women, Infants & Children Grant (\$2947.46)
Fund 2978, Chronic Disease Prevention Grant (\$7,980.00)

have negative cash balances as of June 30, 2018 due to the nature of the funds as reimbursable grant funds; and

WHEREAS, Pondera County General Fund has sufficient cash to loan the funds having negative cash balances on June 30, 2018 in order that the funds will not have a deficient cash balance; and

WHEREAS the funds shall repay the loan and interest at 0% per annum to the general fund from the revenue to be received, anticipated to be in July 2018

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pondera County that the Clerk and Recorder effect the loans to any and all funds having negative cash balances on June 30, 2018 from the county General funds and that the loans be repaid as stated above as soon as feasible.

Adopted this 11th day of July, 2018 as moved by Commissioner Kuka, seconded by Commissioner Seifert, and passed on a 3-0 vote of the board. Effective upon passage and approval.

BOARD OF COMMISSIONERS
Pondera County, Montana

/s/ Janice Hoppes
Janice Hoppes, Chair

/s/ Dale J Seifert
Dale J Seifert, Member

ATTEST:

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

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

TREASURER'S SECURITIES REPORT – July 18, 2018

The following are the investments as of June 30, 2018

STIP \$4,002,338.05 @ 2.0348691%

STOCKMAN BANK BALANCES \$3,640,477.14
STOCKMAN BANK –Collateral Report

3134GAQM \$5,000,000.00 FHLMC 2000937 1.02% Matures 04/04/19

RBC WEALTH

02587DTY4 200,000.00 2.100% Due 09/26/2018 (CD)
06740KHN0 250,000.00 1.700% Due 07/30/2018 (step up)

RAYMOND JAMES

02587CFF2 \$200,000.00 2.2500% Due 5/24/2021 (CD)
38147JL42 \$200,000.00 2.05% Due 6/25/2019 (CD)
06740KHS9 \$250,000.00 2.1000% Due 08/13/2019 (CD)
140420XL9 \$245,000.00 2.1500% Due 11/04/2020
48125YT87 \$250,000.00 1.250% Due 05/06/2021(step)
254672T24 \$250,000.00 2.000% Due 11/23/2021 (CD)

INDEPENDENCE BANK

CDARS 1021053623 02/07/19 1.3706% \$500,000.00
CDARS 1021435607 6/6/19 1.83316% \$500,000.00
CDARS 1020736204 11/1/18 1.29165% \$3,254,000.00
CDARS 1020845178 12/6/18 1.29165% \$1,000,000.00
CDARS 1020845186 12/6/18 1.29165% \$500,000.00
CDARS 1020490825 8/16/18 1.24227% \$1,000284.07
CDARS 1020845216 12/6/18 1.29165% \$500,000.00

PUBLIC COMMENT – COUNTY ROADS – July 18, 2018

Mike Koenig addressed the Commissioners and Steve Kaphammer, Road Department Lead Operator, regarding the dust caused by the heavy truck traffic on Midway and Healy Springs Roads. Koenig stated that 1.) the road dust from the heavy usage of Midway Road by trucks traveling to and from the United Grain facility is unbearable; 2.) DEQ has been notified and will be writing a letter to the Commissioners; 3.) he has had crop loss and the dust is hard on livestock close to road; 4.) the speed limit is completely ignored.

Discussion included dust abatement products used on roads and an alternative to magnesium chloride produced in Missoula. Koenig will provide the name of the company to the commissioners. Although the dust abatement products sound like problem solvers they have not proven so in Pondera County nor in some of the other counties that have tried them. Koenig would like the road watered down once in a while which is not always doable by the road crew. The commissioners will not take action at this time and will wait for the letter from the DEQ.

Also attending: Jim Morren and Treasurer Jeanne Moon

DISCUSSION OF TREASURER'S LIST OF REAL PROPERTIES WHOSE TAX DELINQUENCIES ARE DEEMED UNCOLLECTABLE – July 18, 2018

Treasurer, Jeanne Moon, presented a list of tax parcels having real property taxes that have been delinquent for ten years or more and are deemed uncollectable. The Commissioners and Treasurer Moon discussed the listing and determined: 1.) nearly all the parcels are owned as partial interests on land on the Blackfeet Reservation; 2.) the parties on the parcels cannot be located or collected upon. Therefore, Commissioner

Seifert moved, Commissioner Kuka seconded, to cancel the real property tax parcels on the list provided by the Treasurer and attach the list to a resolution cancelling the delinquencies.

Also attending: Jim Morren and Treasurer Jeanne Moon

RESOLUTION ORDERING CANCELLATION OF REAL PROPERTY TAXES – ADOPTED – July 18, 2018

PONDERA COUNTY, MONTANA
RESOLUTION #2 – 2018/19

ORDERING THE CANCELLATION OF REAL PROPERTY TAXES THAT HAVE BEEN DELINQUENT FOR TEN YEARS OR MORE

WHEREAS, Section 15-16-701, (2) (a), MCA, states the County Treasurer shall prepare in triplicate and submit to the Board of County Commissioners a list of real property taxes that have been delinquent for ten years or more; and

WHEREAS, the attached listing of real property taxes that have been delinquent for ten years or more in Pondera County has been submitted by the County Treasurer; and

WHEREAS, Section 15-16-701, (2) (a), MCA, states that the tax lien for each property must have been sold at a tax lien sale, which includes the county as purchaser of the property tax lien under Section 15-17-702, MCA, at least three years before preparation of the list; and

WHEREAS, Section 15-16-702, MCA, states the Board of County Commissioners will examine the list and make any necessary corrections within 30 days of receipt; and

WHEREAS, it further states that the Board of County Commissioners shall make its order cancelling all such real property taxes and contractual obligations contained in the lost.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pondera County that all indicated reap property taxes listed on the attached list and ordered cancelled.

BE IT FURTHER RESOLVED, that upon notification of the order for cancellation, the Pondera County Treasurer will adjust the taxes-receivable accounts to conform to this order of cancellation.

Adopted this 18th day of July, 2018 as moved by Commissioner Seifert, seconded by Commissioner Kuka, and passed on a 3-0 vote of the board. Effective upon passage and approval.

BOARD OF COMMISSIONERS
Pondera County, Montana

/s/ Janice Hoppes
Janice Hoppes, Chair

/s/ Dale J Seifert
Dale J Seifert, Member

ATTEST:

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

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

DISCUSSION REGARDING ABANDONED MOBILE HOMES IN THE COUNTY – July 18, 2018

Treasurer Jeanne Moon and the commissioners discussed the number and condition of abandoned mobile homes in the County. The presence of the abandoned mobile homes causes public safety and public health hazards as well as causing community degradation but Montana law is not friendly to communities wanting to clean up the abandoned property of individuals. In most instances, the owners of the abandoned property cannot be found and a sheriff's sale can be conducted, however, the properties rarely sell and the

problem continues. Further research needs to be done in the hope law can be changed or clarified to allow communities to clean up these nuisances.

Also attending: Jim Morren and Treasurer Jeanne Moon

ROAD CLOSURES APPROVED FOR DUPUYER GRIZZLY DAY, AUGUST 4 – July 18, 2018

Rita Christiaens, on behalf of the Dupuyer Community Club requested temporary street closure of Morton Avenue between Teton Street and Dupuyer Street for the Grizzly Day Celebration on Saturday August 4, 2018. They will contact the Department of Transportation for usual permits and the Pondera County Sheriff's Office requesting Law Enforcement to stop and or reroute traffic for the Parade down Highway 89 from 11AM for approximately 30/45 minutes. Commissioner Seifert moved, Commissioner Kuka seconded, to approve the road closure request.

Also attending: Jim Morren

JUNE MINUTES APPROVED – July 18, 2018

Commissioner Seifert moved to approve the June minutes of the Commission.

Commissioner Kuka seconded. Motion carried.

Also attending: Jim Morren

iWorQ FLEET MANAGEMENT PURCHASE APPROVED – July 18, 2018

Commissioner Seifert moved, Commissioner Kuka seconded, to approve the purchase of Fleet Management software for use the public works departments to track vehicles, equipment, fuel logs, work orders, maintenance schedule, etc. at a cost of \$1,750 per year. The costs will be split among the operating budgets for Road, Bridge, Weed and County Management.

Also Attending: Jim Morren

STATEMENT OF WORK (AGREEMENT) FOR E-911 & GPS/GIS PROJECT APPROVED – July 25, 2018

Commissioner Kuka moved and Commissioner Seifert seconded to approve agreement between Pondera County and the Montana State Library for the Pondera County E-911 & GPS/GIS Project through the Montana Land Information Funds (grant) in the amount of \$23,965. **The County's in-kind match totals \$3,480.00** Motion carried.

Also attending: Jim Morren

CLAIMS APPROVED FOR PAYMENT – July 31, 2018

<i>FUND</i>	
GENERAL	55,814.16
ROAD	18,221.92
BRIDGE	1,658.40
WEED	2,109.30
AIRPORT	1,870.62
COMPREHENSIVE INSURANCE	114,271.59
AMBULANCE	4,406.20
EXTENSION SERVICE	5,391.38
COUNTY FAIR	396.78
PUBLIC SAFETY (LAW ENFORCEMENT)	17,637.48
HEALTH INSURANCE - EMPLOYER CONTRIBUTION	1,645.09
BRADY LIGHTS MAINTENANCE	353.93
911 EMERGENCY	9,317.39
FEMA PDA GRANT	7,150.00
NORTHERN TRANSIT INTERLOCAL	1,022.75
VICTIM & WITNESS ADVOCATE	319.00
NOXIOUS WEED GRANT	400.00
EMERGENCY PREPAREDNESS GRANT	1,565.22
PERFORMANCE MGT GRANT	185.00
ORAL HEALTH GRANT	593.03
WIC GRANT	785.87
MATERNAL CHILD HEALTH	119.15

IMMUNIZATION ACTION PROGRAM		132.62
CHRONIC DISEASE PREVENTION GRANT		895.19
HEALTH CARE FOUNDATION GRANT		95.53
JUNK VEHICLE GRANT		58.15
REFUND FUND		142.38
TOTAL CLAIMS	\$	246,558.13
TOTAL PAYROLL		<u>269,104.05</u>
TOTAL CLAIMS AND PAYROLL FUNDS		<u><u>515,662.18</u></u>

ADJOURNMENT

The meeting adjourned at 5:00 p.m. on July 31, 2018.

Pondera County, Montana.

Janice Hoppes, Chairman

ATTEST:

Kody L Farkell, Clerk & Recorder