

**REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS
PONDERA COUNTY, MONTANA
Held in July 2020**

The Board of Pondera County Commissioners met daily in informal session and in scheduled meetings on July 1, 8, 15, 22, and 29, 2020.

JULY 1, 2020 REGULAR MEETING OF THE COMMISSION:

PRESENT: Commissioner Thomas Kuka, Commissioner Dale Seifert, Commissioner Jim Morren, Clerk & Recorder Kody Farkell.

No Business requiring action came before the Commission

JULY 8, 2020 REGULAR MEETING OF THE COMMISSION:

PRESENT: Commissioner Thomas Kuka, Commissioner Dale Seifert, Commissioner Jim Morren, Clerk & Recorder Kody Farkell

RESOLUTION LOAN TO FUNDS HAVING NEGATIVE CASH BALANCES AT FISCAL YEAR END

PONDERA COUNTY, MONTANA
RESOLUTION #1 – 2020/21
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 2150, Predatory Animal (\$1219.63)
Fund 2966, COVID-19 Mental Health Grant (\$489.45)
Fund 2971, Women, Infants & Children Grant (\$1,377.96)

have negative cash balances as of June 30, 2020 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, 2020 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 2020

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, 2020 from the county General funds and that the loans be repaid as stated above as soon as feasible.

Adopted this 8th day of July, 2020 as moved by Commissioner Morren, 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/ Thomas A Kuka
Thomas A Kuka, Chairman

/s/ Dale J Seifert
Dale J Seifert, Member

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

/s/ Jim Morren
Jim Morren, Member

JULY 15, 2020 REGULAR MEETING OF THE COMMISSION:

PRESENT: Commissioner Thomas Kuka, Commissioner Dale Seifert, Commissioner Jim Morren, Attorney Mary Ann Ries, and Clerk & Recorder Kody Farkell

RESOLUTION AUTHORIZING PROSECUTORIAL ASSISTANCE IN DISTRICT AND JUSTICE COURT CASES-ADOPTED

**PONDERA COUNTY MONTANA
RESOLUTION #2 – 2020/21
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, the Pondera County Attorney taking office on September 1, 2020, has limited prosecutorial experience;

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, 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;

THEREFORE, IT IS HEREBY RESOLVED:

That the Teton County Attorney, Joe Coble, and Deputy Teton County Attorney, Jennifer Stutz, 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 July 1, 2020 through June 30, 2021, and that they can fulfill the functions set out in Mont. Code Ann. Section 44-4-103.

IT IS FURTHER RESOLVED:

That under the terms of this agreement, no fee will be charged for attorney time provided by the special prosecutor Joe Coble, however, mileage shall be paid to each for any travel expenses incurred during the prosecution of any matters at the current rate of \$0.575 per mile. 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 15th day of July, 2020 as moved by Commissioner Seifert, seconded by Commissioner Morren, and passed on a 3-0 vote of the full board. Effective on passage and approval.

**BOARD OF COMMISSIONERS
Pondera County, Montana**

/s/ Thomas A Kuka
Thomas A Kuka, Chairman

/s/ Dale J Seifert
Dale J Seifert, Member

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

/s/ Jim Morren
Jim Morren, Member

TREASURER'S SECURITIES REPORT

July 13, 2020

The following are the investments as of June 30, 2020

STIP \$6,002,000.00 @ 1.7255346%

STOCKMAN BANK BALANCES \$7,053,025.50

STOCKMAN BANK –Collateral Report

3130AHSR5 \$5,000,000.00 FHLB 2001017 1.63% Matures 12/20/21
 3133ELD76 1,700,000.00 FFCB 2001034 .34% Matures 12/02/22

RAYMOND JAMES

02587CFF2 \$200,000.00 2.2500% Due 5/24/2021 (CD)
 140420XL9 \$245,000.00 2.1500% Due 11/04/2020 (CD)
 254672T24 \$250,000.00 2.000% Due 11/23/2021 (CD)
 06051VE36 \$250,000.00 2.50% Due 08/06/2020 (CD)
 61690UED8 \$250,000.00 2.85% Due 02/14/2022 (CD)
 14042RMS7 \$250,000.00 2.2000% Due 08/07/2023 (CD)
 38149MCZ4 \$250,000.00 2.1500% Due 07/18/2022 (CD)

INDEPENDENCE BANK

CDARS 1023500651 02/04/21 1.69559% \$500,000.00
 CDARS 1022898139 08/13/20 2.22514% \$1,000,000.00
 CDARS 1023886398 06/02/22 .80675% \$500,000.00
 CDARS 1023084224 10/08/20 2.14685% \$500,000.00
 CDARS 1023205919 11/05/20 1.97051% \$2,000,000.00
 CDARS 1023292188 12/03/20 1.75458% \$1,000,000.00

Elaine McLean, Treasurer

JULY 22, 2020 REGULAR MEETING OF THE COMMISSION:

PRESENT: Commissioner Thomas Kuka, Commissioner Dale Seifert, and Commissioner Jim Morren

UPDATED JOB DESCRIPTION FOR EQUIPMENT OPERATOR/LABORER-APPROVED

Commissioner Morren moved and Commissioner Seifert seconded to approve an updated job description for an Equipment Operator/Laborer under the Pondera County Road Department. Motion carried.

RESOLUTION CANCELLING DELINQUENT PROPERTY TAXED ON MOBILE HOMES-ADOPTED

PONDERA COUNTY, MONTANA
 RESOLUTION #3 – 2020/21
CANCELLING DELINQUENT PROPERTY TAXES
ON MOBILE HOMES

WHEREAS, Section 15-24-212(1), MCA, states that “the board of county commissioners may order the cancellation of delinquent property taxes on a mobile home ... if the mobile home ... is to be moved for the purposes of destruction or recycling.” ; and

WHEREAS, the mobile home is situated on the below-described real property located in the Original Townsite of the Brady; and

WHEREAS, Section 15-24-212(2), requires the following information be included in the cancellation order:

Taxpayer Name and Address	physical address of mobile home	delinquent tax, int & penalties	Date Delinquent	Taxpayer ID
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Mary Ann Lowery 218 Central Ave E Brady, MT 59416	Brady Original, Block 12, Lot 21	\$908.30	7/2015 – 11/2019	2015400
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WHEREAS, Section 15-24-212(3), MCA, also directs that one copy of this order be recorded with the county clerk and recorder as a public record, and one copy of the order must be filed with the county treasurer as a permanent record of the treasurer's office.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of County Commissioners of Pondera County that the delinquent taxes, penalty and interest accrued against the mobile homes which have been destroyed or recycled be cancelled; and

BE IT FURTHER RESOLVED AND ORDERED, that the clerk and recorder record this Resolution in the public records of Pondera County and that the treasurer file a copy of this Resolution as a permanent record in the treasurer's office.

Adopted this 22nd day of July, 2020 as moved by Commissioner Seifert, seconded by Commissioner Morren, and passed on a 3-0 vote of the board. Effective upon passage and approval.

BOARD OF COMMISSIONERS
Pondera County, Montana

/s/ Thomas A Kuka
Thomas A Kuka, Chairman

/s/ Dale J Seifert
Dale J Seifert, Member

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

/s/ Jim Morren
Jim Morren, Member

JULY 29, 2020 REGULAR MEETING OF THE COMMISSION:

PRESENT: Commissioner Thomas Kuka, Commissioner Dale Seifert, Commissioner Jim Morren, Terry Vandenbos, Tom McFarland, Keith Vandenbos, Mark DeBoo, and Jim Vandenbos.

PUBLIC COMMENT

Members of the public were present to discuss the need for graveling of Lakeside Road. The parties on hand requested permission from the Commissioners to work with the Road Department to get the road re-graveled. Commissioners agreed to take the request under advisement.

ENCROACHMENT AGREEMENT REQUESTED BY KELLY RAUSCHER-APPROVED

Commissioner Morren moved and Commissioner Seifert seconded to approve an encroachment agreement requested by Kelly Rauscher for the purpose of adding a field approach on Arod Lakes Road. Motion carried.

TAX ABATEMENTS 1106 APPROVED

Commissioner Morren moved to approve the following abatement:

<u>NUMBER</u>	<u>REASON</u>	<u>CANCEL</u>	<u>ADD</u>	<u>PARCEL NO</u>
1110	Mobile home destroyed	185.86		2012700
1111	Mobile home moved	680.54		2015400

Commissioner Seifert seconded. Motion carried.

CLAIMS APPROVED FOR PAYMENT

<u>FUND</u>		
Fund	Fund Description	
1000	GENERAL	48,616.42
2110	ROAD	17,418.10
2130	BRIDGE	76.62
2140	WEED	2,972.49
2170	AIRPORT	1,986.87
2190	COMPREHENSIVE INSURANCE	154,508.73
2230	AMBULANCE	11,702.99
2290	EXTENSION SERVICE	5,548.12
2300	PUBLIC SAFETY (LAW ENFORCEMENT)	4,508.73
2371	HEALTH INSURANCE - EMPLOYER CONTRIBUTION	2,036.85
2401	BRADY LIGHTS MAINTENANCE	357.81
2830	JUNK VEHICLE	13.15
2840	NOXIOUS WEED GRANT	934.23
2850	911 EMERGENCY	693.89
2860	LAND USE PLANNING	1,726.38
2866	NORTHERN TRANSIT INTERLOCAL	915.41
2958	EP (DES) GRANTS	2,895.46
2963	ORAL HEALTH SERVICES GRANT	70.00
2966	COVID-19 MENTAL HEALTH GRANT	1,903.35
2971	WIC GRANT	163.17
2973	MATERNAL CHILD HEALTH	84.15
2976	IMMUNIZATION ACTION GRANT	199.20
2978	CHRONIC DISEASE (FKA TOBACCO USE PREV)	1,259.21
2980	HEALTH CARE FOUND. GRANT	71.00
7920	REFUND FUND	45.20
TOTAL CLAIMS		260,707.53
TOTAL PAYROLL		\$ 259,191.26
TOTAL CLAIMS AND PAYROLL FUNDS		\$ 519,898.79

ADJOURNMENT

The meeting adjourned at 5:00 p.m. on July 31, 2020.

Pondera County, Montana.

Thomas A. Kuka
 Thomas A Kuka, Chairman

ATTEST:

 K. L. Farkell, Clerk & Recorder

335122 CO MINUTES Pages: 6

STATE OF MONTANA PONDERA COUNTY

RECORDED: 08/17/2020 1:48 KOI: CO MINUTES

Kody L Farkell CLERK AND RECORDER

FEE: \$0.00 BY: B. Hagan - Deputy

TO: FILED ,